



**National Survey of State
Emergency Response
Commissions (SERCs)**

Survey Analysis & Report

April 2023

Office of Emergency Management
U.S. EPA

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Abbreviations

ADEM	Alabama Department of Environmental Management
APELL	Awareness and Preparedness for Emergencies at Local Level
AWIA	America’s Water Infrastructure Act of 2018
CAMEO	Computer Aided Management of Emergency Operations
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CWS	Community Water System
CY	Calendar Year
DHSES	Division of Homeland Security and Emergency Services (New York)
DOT	U.S. Department of Transportation
EHS	Extremely Hazardous Substance
EMA	Emergency Management Agency
EPA	Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FEMA	Federal Emergency Management Agency
FOIL	Freedom of Information Law
FTE	Full-Time Equivalent
Hazmat	Hazardous Material
HMEP	Hazardous Materials Emergency Preparedness
HS	Hazardous Substance
HSEM	Homeland Security and Emergency Management Division (Minnesota)
HSEMD	Department of Homeland Security and Emergency Management (Iowa)
LEPC	Local Emergency Planning Committee
MOU	Memorandum of Understanding
NGA	National Governors Association
OCSP	Office of Chemical Safety and Pollution Prevention
OEM	Office of Emergency Management

OSHA	Occupational Safety and Health Administration
PHMSA	U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration
SDS	Safety Data Sheet
SERC	State Emergency Response Commission
TEPC	Tribal Emergency Planning Committee
TERC	Tribal Emergency Response Commission
TPQ	Threshold Planning Quantity
TRI	Toxics Release Inventory

Executive Summary

In October 2021, the Office of Emergency Management¹ (OEM) of the U.S. Environmental Protection Agency (“EPA” or “Agency”) conducted a survey of the State Emergency Response Commissions (SERCs) in each state and territory of the United States. Thirty-five years after the enactment of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA), EPA conducted this survey to gather information on current practices, challenges, and gaps, including successes and best practices in implementing EPCRA.

During the first 10 years of the EPCRA program, the National Governors Association (NGA)² published a report, *Emergency Planning and Community Right-to Know: State Profiles*, on the states’ establishment of the EPCRA program and its progress. The NGA published the report annually from 1989 to 2000.

As EPCRA marked 35 years since its creation, along with its recent amendments under the America’s Water Infrastructure Act of 2018 (AWIA), EPA decided to conduct the SERC survey to learn how well the program is currently being implemented at the state and local levels. This is the first survey of the SERCs that EPA has conducted. However, in 1994, 1999, and 2008, EPA conducted surveys of the Local Emergency Planning Committees (LEPCs).

The survey summarized in this report was distributed to SERCs in each state, territory, and the District of Columbia. Along with the survey questions on how each provision of EPCRA is currently being implemented, EPA requested the SERCs to provide certain information about their LEPCs, including whether they are active or inactive and whether they have an updated emergency plan. In addition, the survey requested states to provide their priorities and reasons for not meeting their priorities, as well as challenges, best practices, and successes. Furthermore, the survey included questions related to the Toxics Release Inventory (TRI) program and usage of software and other EPA resources available for planners and responders.

Key Findings

Although a few states omitted responses to some of the questions in the survey, 50 states and 2 territories submitted responses to the survey.

SERCs’ Priorities for Implementing EPCRA

Of the several responsibilities that the statute requires, the states ranked three tasks as their top priorities:

¹ The Office of Emergency Management is responsible for managing Sections 302 to 312 of the Emergency Planning and Community Right-to-Know Act (EPCRA). Section 313 of EPCRA is managed by the Office of Chemical Safety and Pollution Prevention (OCSPP).

² The members of the NGA are the Governors of the 50 states, the territories of American Samoa, Guam, and the Virgin Islands, and the Commonwealths of the Northern Mariana Islands and Puerto Rico. Under a grant from EPA, the NGA published reports on the status of EPCRA establishment in each state and territory. A series of reports were published annually, starting in 1989. The last edition was published in 2000. These reports include the status of state EPCRA programs, focused on how they addressed key issues, including funding and enforcement. The NGA provided guidance to Governors’ offices and state agencies regarding implementation of the law.

- (1) Managing and analyzing Tier II data (29 states)
- (2) Assisting LEPCs in developing and/or exercising response plans (25 states)
- (3) Assisting facilities in complying with EPCRA (21 states)

See Exhibit 6 in section 1.1.5 for the results.

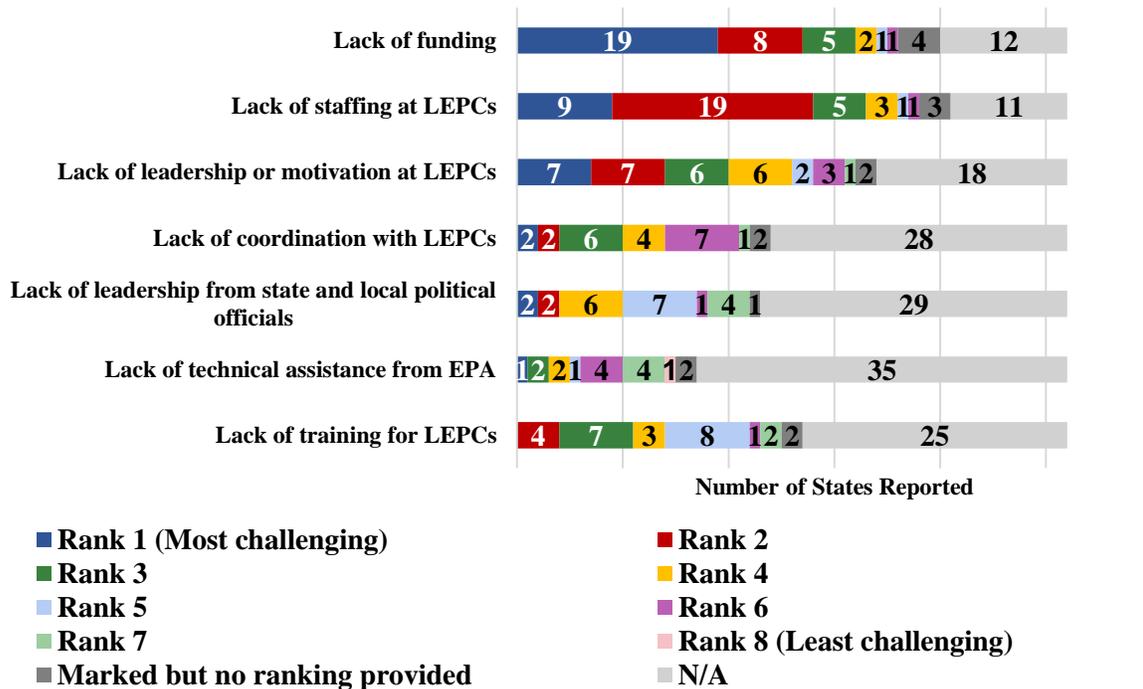
States’ Challenges in Implementing EPCRA

One of the questions in the survey listed several potential challenges for the SERCs to implement EPCRA, and the respondents were asked to prioritize their challenges. The responses for those obstacles that were either most challenging or second most challenging are as follows:

- (1) Lack of staffing (28 states)
- (2) Lack of funding (27 states)

These challenges and others with their rankings are depicted in the exhibit below.

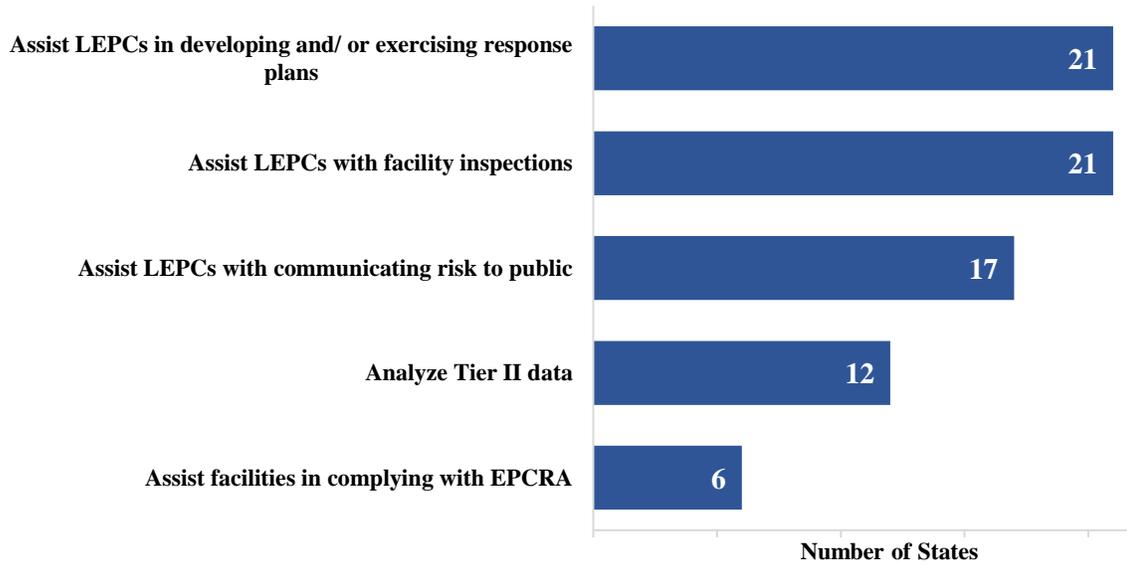
Exhibit ES-1. States’ Challenges in Implementing EPCRA



Lack of Funding/Resources for SERCs

An overarching theme in the EPCRA program is that SERCs and LEPCs often lack the resources to implement the program. Lack of funding or other resources equates to not being able to support LEPCs. As illustrated in Exhibit 4 in section 1.1.4 of this report, approximately 23 states reported that they do not have an operating budget to carry out responsibilities under EPCRA. Several states expressed that because there is no funding, EPCRA and its requirements are viewed as not important. As chemicals are handled every minute of the day, potential chemical hazards affect the community and first responders. The exhibit below shows how the resource constraints have impacted the ability of SERCs to implement EPCRA.

Exhibit ES-2. Priorities Not Met Due to Lack of Funding³



As noted in Exhibit ES-2, SERCs are unable to assist LEPCs in developing and exercising emergency response plan or assist LEPCs with facility inspections due to lack of funding.

Inactive LEPCs

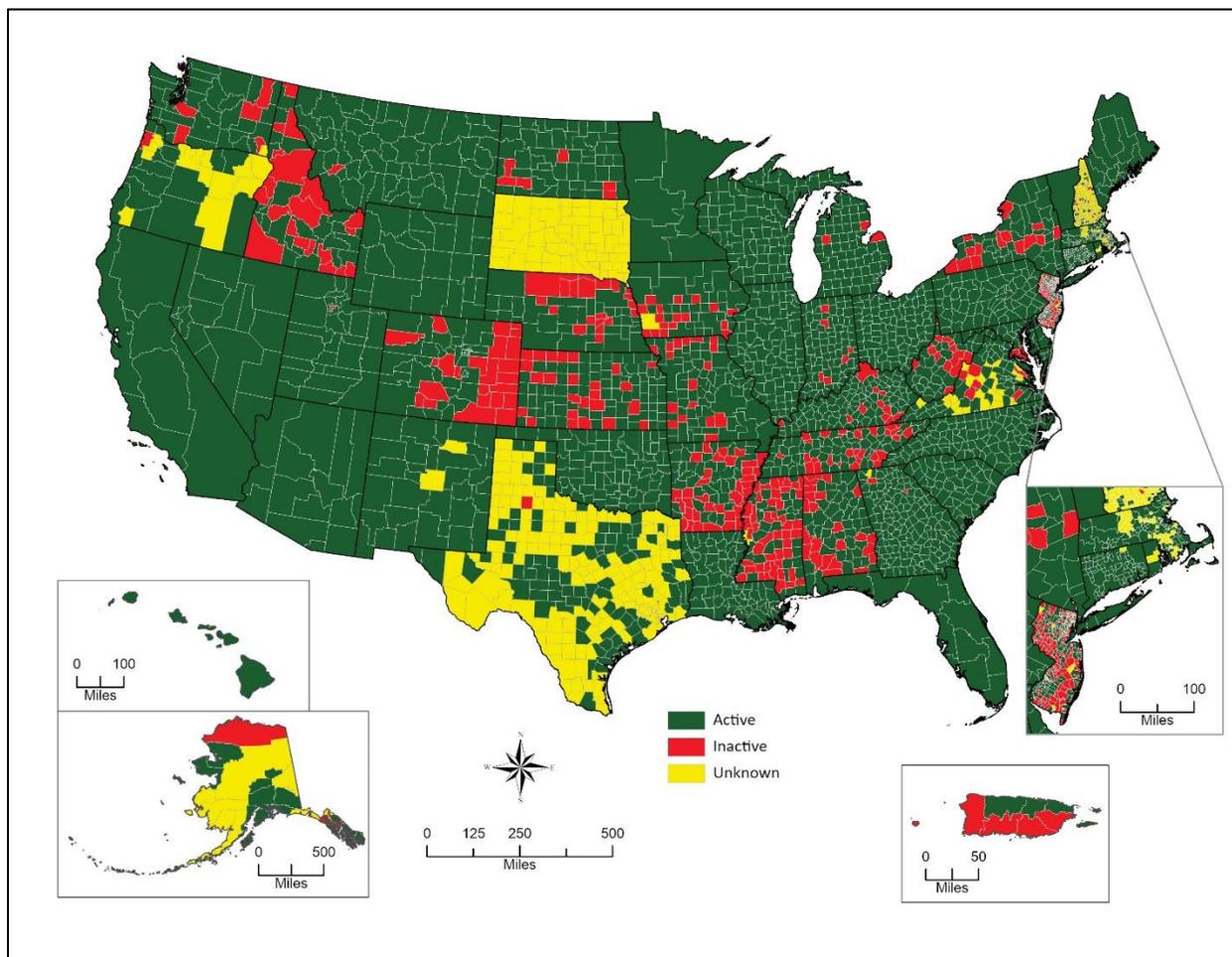
Survey question #23 asked for SERCs to provide the status of their LEPCs (see

Exhibit **ES-3**). Shortly after the inception of the EPCRA program in 1986, more than 4,000 LEPCs were established. In this survey, several states reported that some of their LEPCs combined to form regional LEPCs. The results of the survey show that there are 2,554 active LEPCs, which include those that formed regional LEPCs. One state reported that they reconfigured their 10 LEPCs into one statewide LEPC. Based on the information provided by 49⁴ states and two territories, approximately 1,236 LEPCs are reported as inactive or unknown⁵. Many states reported that the main reasons for a decline in active LEPCs are lack of funding and lack of staffing at LEPCs. As EPA does not receive the hazardous chemical inventory reports (also known as “Tier II reports”), the Agency is unable to determine if potential chemical hazards exist in communities with inactive LEPCs.

³ Twelve states did not respond to this survey question.

⁴ The state that did not provide their LEPC status established 66 LEPCs at the inception of the EPCRA program.

⁵ From the survey responses, EPA was not able to determine if states marked “unknown” for some of their LEPCs because they were unable to reach them due to the pandemic, natural disasters, etc. or because they are inactive. 635 LEPCs are listed as inactive while the status of 601 LEPCs are unknown.

Exhibit ES-3. Active and Inactive LEPCs⁶

Tier II Facilities & Emergency Planning for Hazardous Chemicals

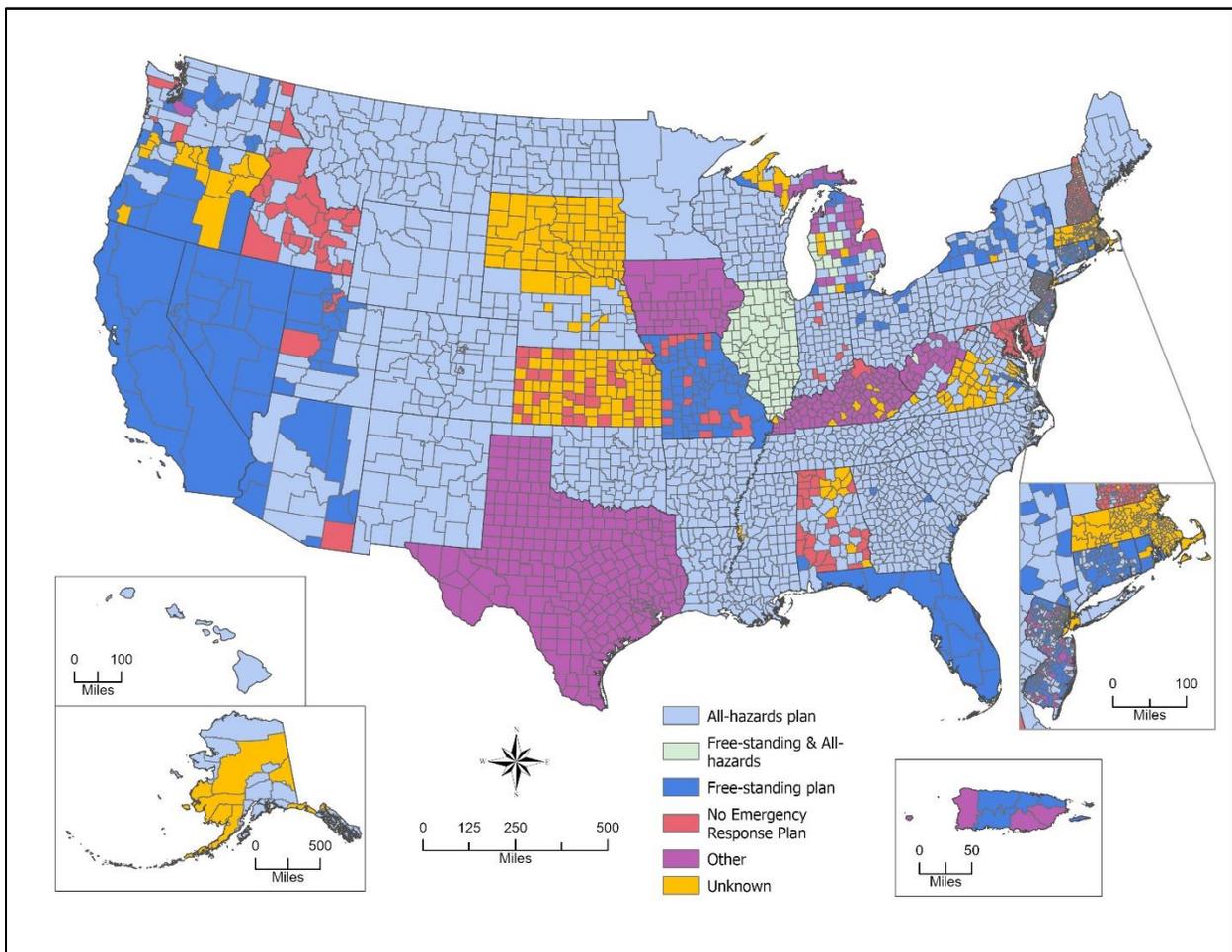
One of the survey questions requested states to provide the number of facilities that submitted Tier II reports for hazardous chemicals present at the facility as required under EPCRA Section 312 for calendar year (CY) 2020. Based on the responses, approximately 663,095 facilities in the nation handle hazardous chemicals, of which 108,045 facilities handle EPCRA extremely hazardous substances (EHSs). While EPCRA Section 303 only requires LEPCs to plan for EPCRA EHSs, all hazardous chemicals reported annually on the Tier II reports pose risks to the community and first responders. As EPA do not receive Tier II reports, we are unable to determine if these communities have facilities that handle hazardous chemicals. Chemical accidents can occur anywhere and every community should be prepared to ensure protection of the public and first responders.

EPCRA Emergency Response Plans and All Hazards Planning

⁶ This map is based on responses provided by states to survey question #23A.

Under EPCRA Section 303, LEPCs are required to develop an emergency response plan for their community. The survey results show that 442 LEPCs have developed a free-standing EPCRA emergency response plan (11.7%); 1,844 LEPCs have developed or participated in the development of an all-hazards plan (48.7%), which should incorporate chemical hazards under EPCRA; and 615 LEPCs (16.2%) have indicated some other type of emergency plan (e.g., local EOP; ESF-10). One hundred and eleven LEPCs (2.9%) have reported having both an EPCRA free-standing plan and an all-hazards plan. However, the survey responses indicate that 327 LEPCs (communities) (8.6%) do not have any type of emergency response plan, either an EPCRA standalone plan, an all-hazards plan, or other type of plan. Additionally, there were 451 LEPCs (11.9%) that had an unknown emergency response plan based on survey responses. The Agency does not have comparative data to determine if LEPCs are trending towards including EPCRA emergency planning as part of their all-hazards planning.

Exhibit ES-4. Type of Emergency Response Plan for each LEPCs



Environmental Justice, Climate Change and EPCRA

One of the cornerstones of environmental justice is to provide minority and low-income communities access to public information and an opportunity for public participation. Through

the right-to-know provisions of EPCRA, the LEPCs and SERCs are tasked with the tremendous responsibility to provide certain chemical hazard information to their communities.

LEPCs and SERCs are also responsible for emergency response planning to ensure their communities are prepared for a chemical release. The planning process includes assessing hazards, such as those caused by or exacerbated by extreme weather events. Another critical planning activity is understanding where chemical risks exist in communities and identifying areas where there may be disproportionate impacts from chemical hazards. Effective emergency planning should also include public participation from the surrounding community to help identify risks and potential impacts that result from nearby chemical hazards.

LEPCs play an important role in carrying out environmental justice activities and planning for extreme weather events that can contribute to the risks of chemical releases. As LEPCs and SERCs continue their work associated with environmental justice and climate change, the EPA may need to identify guidance or other ways to support these efforts so that communities may more fully benefit from LEPC and SERC activities.

More information on the environmental justice screening can be found in Section 5.

Introduction and Background

EPCRA was passed in 1986 to prepare and protect the community from potential chemical hazards and provide access to information. The law places full implementation responsibility on state, tribal, and local agencies by creating certain organizations. The following organizations were created under EPCRA:

- State Emergency Response Commissions (SERCs)
- Tribal Emergency Response Commissions (TERCs)
- Tribal Emergency Planning Committees (TEPCs)
- Local Emergency Planning Committees (LEPCs)

Members of these organizations and the facilities that handle hazardous chemicals are the key stakeholders for protecting the community from potential chemical accidents. As directed by the statute, each state established their own EPCRA program. Some states adopted the federal program, and others established a more stringent program, including lower reporting thresholds, additional chemicals, and electronic reporting.

Certain provisions of EPCRA were amended on October 23, 2018, under AWIA, due to recent incidents that affected source water intakes of community water systems (CWSs). These amendments placed additional responsibilities on state, tribal, and local implementing agencies.

Survey Design

Thirty-five years after the enactment of EPCRA, EPA conducted the SERC survey (“2021 SERC Survey”) to learn about current implementation activities, including best practices and successes as well as challenges. This is the first survey of the SERCs that the Agency has conducted, although LEPC surveys were conducted in previous years. The 2021 SERC survey included 86 questions in a Microsoft Word® document, along with a Microsoft Excel® spreadsheet with LEPC information that the Agency had collected over the years. EPA emailed these materials to each state and territory at the end of October 2021. EPA requested the SERCs provide certain information about their LEPCs, including whether they are active or inactive and whether the LEPCs have an updated emergency plan. In addition, the survey requested that states provide their priorities and reasons for not meeting their priorities, as well as challenges, best practices, and successes.

Survey questions are organized by each of the EPCRA provisions and implementation responsibilities provided in the statute. In addition, the survey also includes questions related to the SERC’s organization and its operating budget, funding resources for SERCs and LEPCs, state-specific reporting requirements,⁷ etc. The survey questions in their entirety are in Appendix A

Survey Questions of this report.

⁷The states are given flexibility to implement their EPCRA program provided that the state program is at least as stringent as the federal regulations.

The following is a list of topics for each section in the survey.

- SERC organization, operating budget, funding resources, and priorities
- Implementation of EPCRA Section 302 (Emergency Planning Notification)
- LEPC status and emergency response plans
- Implementation of EPCRA Section 304 (Emergency Release Notification) and its amendments under AWIA
- Implementation of EPCRA Section 312 (Emergency and Hazardous Chemical Inventory Form, “Tier II” reporting) and its amendments under AWIA, and Management of Tier II Reports
- Public access to information under EPCRA
- SERC challenges and best practices for implementing the EPCRA program

The survey also included questions related to the TRI program and usage of software and other EPA resources available for planners and responders. Responses to these questions were collected for informational purposes and for any future improvements of these resources.

Data Collection

Fifty states and two territories submitted responses to the survey.⁸ The District of Columbia and three territories did not respond to the survey. A few states omitted responses to some questions, which is noted in the analysis of each survey question. The Agency received the LEPC spreadsheet, which has responses to survey questions 23 through 29, from 49 states and 2 territories;⁹ one state noted that they did not have the resources to submit answers to the questions on the LEPC spreadsheet.

This report provides a summary and analysis of most of the responses received, as well as information on LEPCs and their activities.

⁸ While two territories also responded to the survey, the summary and analysis in this report refer to all respondents as “states.”

⁹ The answer to question #28 was provided with other responses in the survey, rather than on the LEPC spreadsheet.

1. Analysis and Summary

This chapter includes a discussion and an analysis of most of the responses from the 50 states and two territories,¹⁰ including the responses about LEPC status and their activities. Some questions in the survey were unanswered or marked “N/A” by some states. These are identified in the analysis.

In addition, using a subset of the survey information, we have created State Profiles¹¹ (Appendix D

State Profiles). State profiles contain a summary of implementation of each provision of EPCRA in each state, which is similar to the state profiles that NGA published in the beginning of the EPCRA program.

Survey Questions #1-3:

1. *List all entities (e.g., name of the State agency or department, private industry or other non-government representatives, etc.) that make up your SERC organization.*
2. *Please provide the name(s) of the State agency or department, or other non-government representative(s) that manages the following:*
 - SERC chair _____
 - Supervision of LEPCs and their activities (ex: conducting exercises; attend meetings with community; assist in explaining potential risks to the community) _____
 - Review of emergency response plans _____
 - Receipt of Emergency Release Notifications (Initial Telephone Notification) _____
 - Receipt of Emergency Release Notifications (Follow-up Written Reports) _____
 - Receipt of Hazardous Chemical Inventories (Tier II or State equivalent) _____
 - Receipt and processing of public request for EPCRA information _____
3. *How was your SERC formed?*
 - By State Law
 - By Governor’s Executive Order
 - By Governor’s memo/letter
 - Other: _____

1.1 SERC Organization, Operating Budget, Funding Resources, Priorities

As required by the statute, the SERC organization was established in each state soon after EPCRA was enacted. The questions asked under this section are related to the SERC organization structure, which state agency is responsible for managing each EPCRA provision, available resources, and the SERC’s priorities. While some of this information was collected by the NGA at the inception of the EPCRA program, the following questions were included in this

¹⁰ American Samoa, Guam, and Northern Mariana Islands currently do not have the SERC structure or resources to submit the survey. EPA Region 9 is actively working with them to recreate their EPCRA programs.

section of the survey to learn about current activities and use the information as part of the state profiles in Appendix D

State Profiles of this report.

1.1.1 By-Laws, Duties, Meetings

Questions #4 and #5 are related to by-laws or procedures established for implementing the EPCRA program, as provided in EPCRA Section 301.

Survey Question #4:

4. *Does your SERC have by-laws that establish how it should implement EPCRA?*

- Yes
 No

In response to question #4, 32 states reported that they have specific by-laws for the SERC on how it should function and assignment of responsibilities. Twenty states reported that they do not have any by-laws. Of these, one state reported that by-laws are currently being developed, while four states noted that they do not have by-laws specific to the SERC because EPCRA implementation responsibilities are covered under the state statute or regulations. Of the states that reported having SERC by-laws, 12 states indicated that their by-laws include all three functions listed in question #5. Other states' by-laws only cover one or two functions listed in question #5.

Survey Question #5:

5. *If your SERC has by-laws, what do they include? Check all that apply. If possible, please attach a copy of your by-laws with this survey.*

- Delegation of responsibility and authority to all SERC members,
 Identification of who should manage information received from facilities (e.g., Tier II reports; release notification and follow-up written reports; etc.),
 Description of how to assist LEPCs with their responsibilities under EPCRA,
 Other, please provide a brief description

A few states reported that their SERC by-laws include other functions that SERCs should carry out in implementing EPCRA:

- Duty, purpose, and authorization of the SERC to coordinate training, designate LEPCs, establish procedures for release reporting, manage inventory reports from regulated facilities, manage requests for information, and manage federal grant opportunities.
- Purpose, responsibilities, by-law amendment, membership, officers, voting, meetings, and working groups and committees.
- Order of succession for conducting meetings, voting rights and authority, meeting absenteeism, and rules of order for conducting meetings.

- Establishment of four sub-committees to carry out the following: a) emergency response plans and training, b) statutes and regulations, c) finance and resources, and d) data collection and management.

One state indicated that in addition to the three items listed in question #5, their SERC by-laws also include a description of how to assist LEPCs with their EPCRA responsibilities.

Question #6 requested states to report how many meetings the SERC organization holds annually.

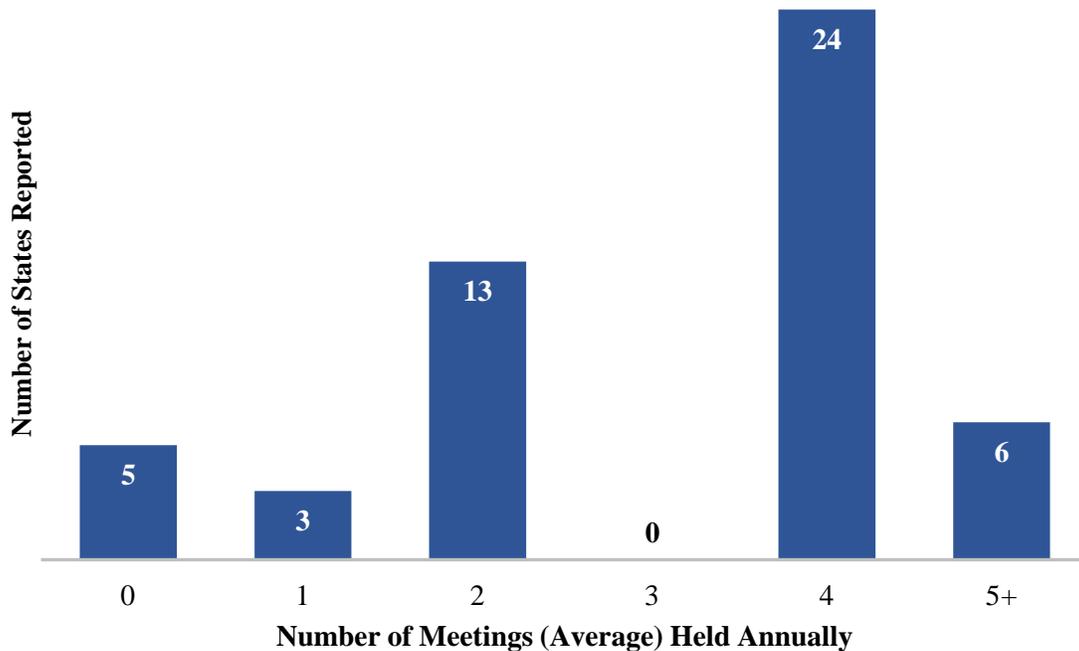
Survey Question #6:

6. On average, how many meetings does your SERC hold annually?

Number of meetings: _____

Exhibit 1 shows how states responded to question #6 on how many meetings the SERC holds annually. One state responded that they hold 12 meetings annually. Five states reported they have not held any meetings annually since the COVID-19 pandemic began.

Exhibit 1. Number of Meetings (Average) Held Annually by SERCs¹¹



¹¹ One state did not respond to the survey question.

1.1.2 Communication Methods with LEPCs

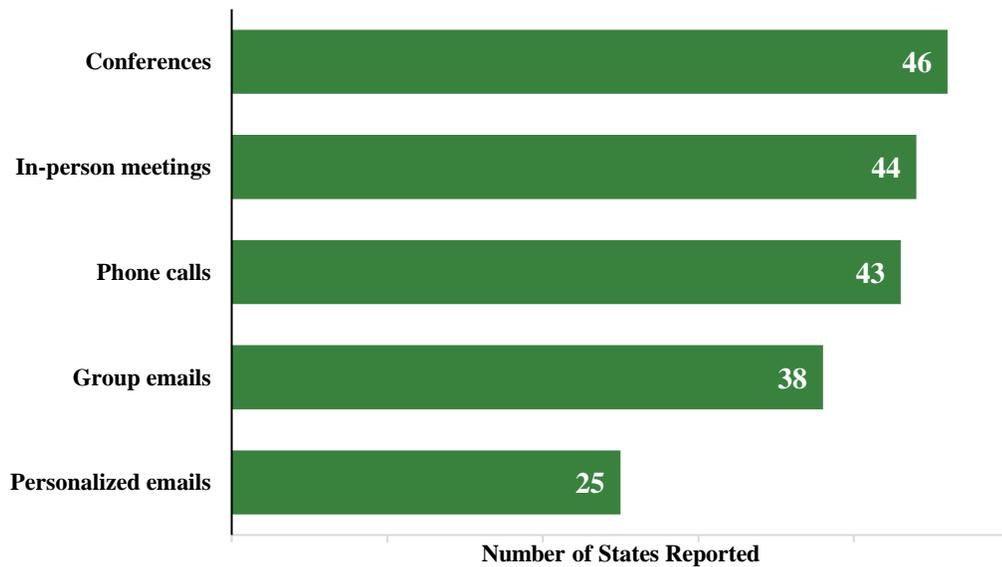
Survey Question #7:

7. How do you communicate with your LEPCs? Check all that apply.

- Personalized emails
- Group emails
- Phone calls
- In-person meetings. Please specify frequency: _____
- Conferences. Please specify frequency and the date of your most recent conference: _____
- Other, please specify: _____

In question #7, the survey requested states to report on various ways they communicate with their LEPCs. As the survey was conducted during the pandemic, a few states reported that they hold virtual meetings and conferences with their LEPCs. One state reported that they hold a statewide LEPC meeting annually. Exhibit 2 shows the percentage of states that communicate in each of the provided methods.

Exhibit 2. Communication Methods Used by SERCs with LEPCs¹²



¹² One state did not respond to the survey question.

1.1.3 Tribes, TERCs, Memorandum of Understanding, Tribal Representation in LEPC Organization

Survey Questions #8-10:

8. If there are any Tribes in your state, have any established Tribal Emergency Response Commissions (TERCs) that implement EPCRA?

- Yes (how many?): _____
- There are no tribes in my state
- There are tribes in my state, but none have established TERCs
- Don't know

9. Are there any Memoranda of Understanding between the Tribe(s) and the State requesting that the State implement EPCRA for the Tribe(s)? If the answer is "Yes", please attach a copy of the MOU(s).

- Yes
- No

10. Are any Tribal Representatives part of any LEPC in your State?

- Yes
- No
- Don't know

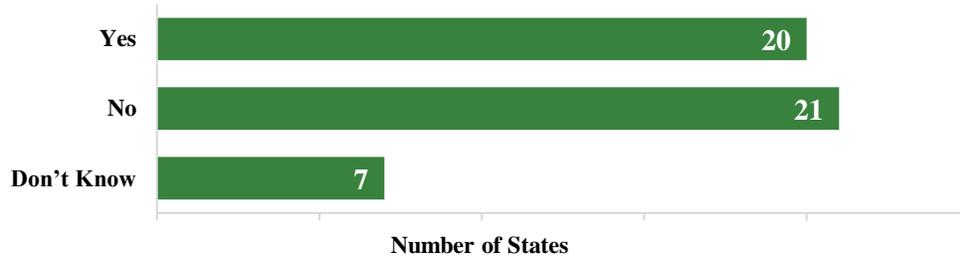
Questions 8, 9, and 10 request states to report if there are tribes in their state and if any TERCs have been established, if any memoranda of understanding (MOU) have been established between states and tribes for implementing EPCRA in the tribal region, and if any tribes are involved with their LEPCs.

In response to question #8, some states reported that there are tribes; however, to their knowledge, TERCs have not been established. Some states reported that there are either no tribes in their state, or they were unsure if TERCs had been established. EPA assumes that these states were referring to whether TERCs are established. Based on these responses EPA is unable to conclude if any TERCs have been established.

In response to question #9, only one state reported that an MOU was established in 1996 between the state and tribes; however, the MOU only includes half of the tribes located in the northern portion of the state.

For question #10, the following responses were received from states regarding tribal representation in their LEPCs (Exhibit 3.).

Exhibit 3. Tribal Representation in LEPCs¹³



1.1.4 Operating Budget and Funding Resources

Survey Questions #11-13:

11. What sources of funding are available to your SERC organization to implement the EPCRA program? Check all that apply.

- State appropriated funds
- Federal grants. If yes, please list types: _____
- Tier II filing fees
- Other (please specify): _____

12. What is your SERC annual operating budget? Please select a range and/or provide an exact amount.

- \$0 - \$50K
- \$51K - \$100K
- \$101K - \$250K
- \$250K - \$500K
- \$500K - \$1M
- Over \$1M
- Don't know
- If you would like to include any details about your budget, please add here:

13. How many full-time equivalents (FTEs) are associated with the SERC (please take into account FTEs from all entities that are part of the SERC organization, listed in question #1)?

- Less than or equal to 1.0 FTE
- Greater than 1.0 FTE, but less than or equal to 2.0 FTE
- Greater than 2.0 FTE, but less than or equal to 5.0 FTE
- Greater than 5.0 FTE, but less than or equal to 10.0 FTE
- Greater than 10.0 FTE
- If you would like to include any details about your FTEs, please add here:

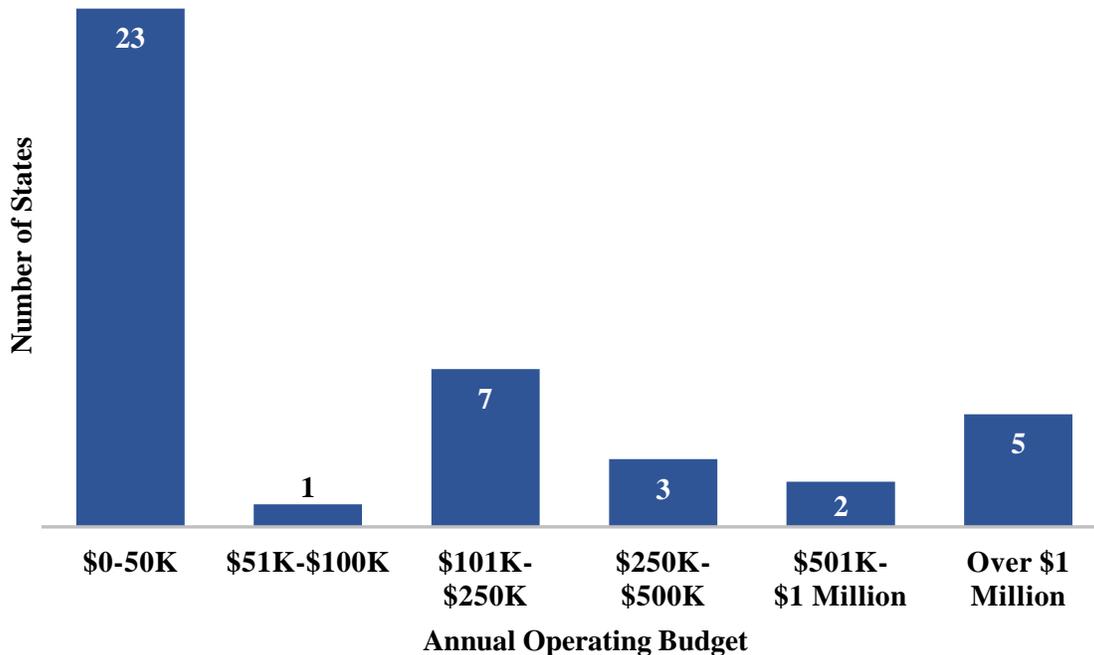
¹³ Four states did not respond to the survey question.

Questions 11, 12, and 13 in the first section of the survey are related to the SERC operating budget, federal or state resources available for implementing the EPCRA program, and the number of staff assigned to carry out SERC duties. Most states reported that they either use the Hazardous Materials Emergency Preparedness (HMEP) grant or they collect fees for filing Tier II reports¹⁴ to carry out some SERC responsibilities under the law and to assist LEPCs with their EPCRA responsibilities. Thirty-three states receive HMEP grants, and 26 states collect Tier II fees. Of these, 15 states reported that they receive funding from both sources.

Seventeen states reported that the SERC organization receives state-appropriated funds in addition to an HMEP grant or Tier II fees. Two states reported that they receive funding from the EPA Brownfields program or from fees collected under the EPCRA Section 313 TRI program. One state reported that they receive a grant from the Federal Emergency Management Agency (FEMA). Another state reported that the state matches the funding received under the HMEP program. While some states reported that they receive HMEP or other federal grants, there are certain restrictions on how the money can be used, which means that most states operate with little or no budget to carry out responsibilities under the law. As SERCs generally have no funding at all, SERCs are unable to provide training, assist in developing emergency response plans, or conduct exercises.

Exhibit 4. illustrates the number of states that reported on their annual operating budget.

Exhibit 4. SERC Annual Operating Budgets¹⁵

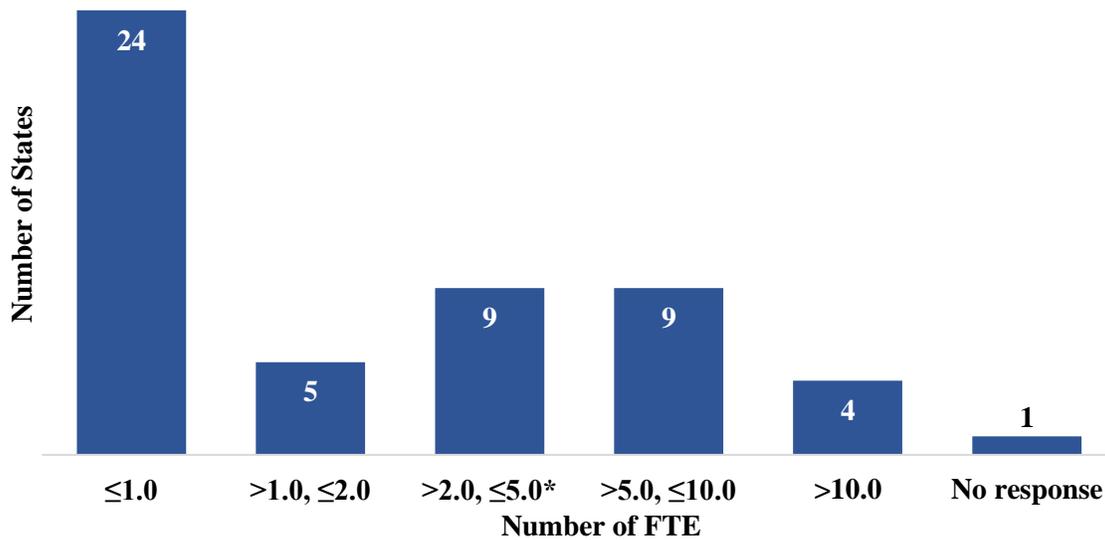


¹⁴ Tier II reports are submitted annually by covered facilities as required under EPCRA Section 312.

¹⁵ One state did not respond to this survey question.

In addition to funding resources and the operating budget, in question #13, states were asked to report the number of full-time employees assigned to carry out SERC duties, manage Tier II reports, provide access to EPCRA reports, and other duties. Exhibit 5. depicts the number of full-time equivalents (FTEs) carrying out SERC duties in addition to their regular responsibilities with the state agency. Almost half of the states reported that they have less than one full-time employee to carry out certain functions, which include managing follow-up release reports and annual Tier II reports. One state specifically reported that they do not have any resources to determine if their LEPCs are active or still in existence.

Exhibit 5. Number of FTEs Assigned to SERC Duties¹⁶



* Note: 1 state reported that their staff allocation includes a state and local rep

1.1.5 SERC Challenges in Meeting Priorities

Survey Question #14:

14. What are your SERC’s priorities? Please rank in order of most important as ‘1’, and if not a priority, please mark as ‘N/A’.

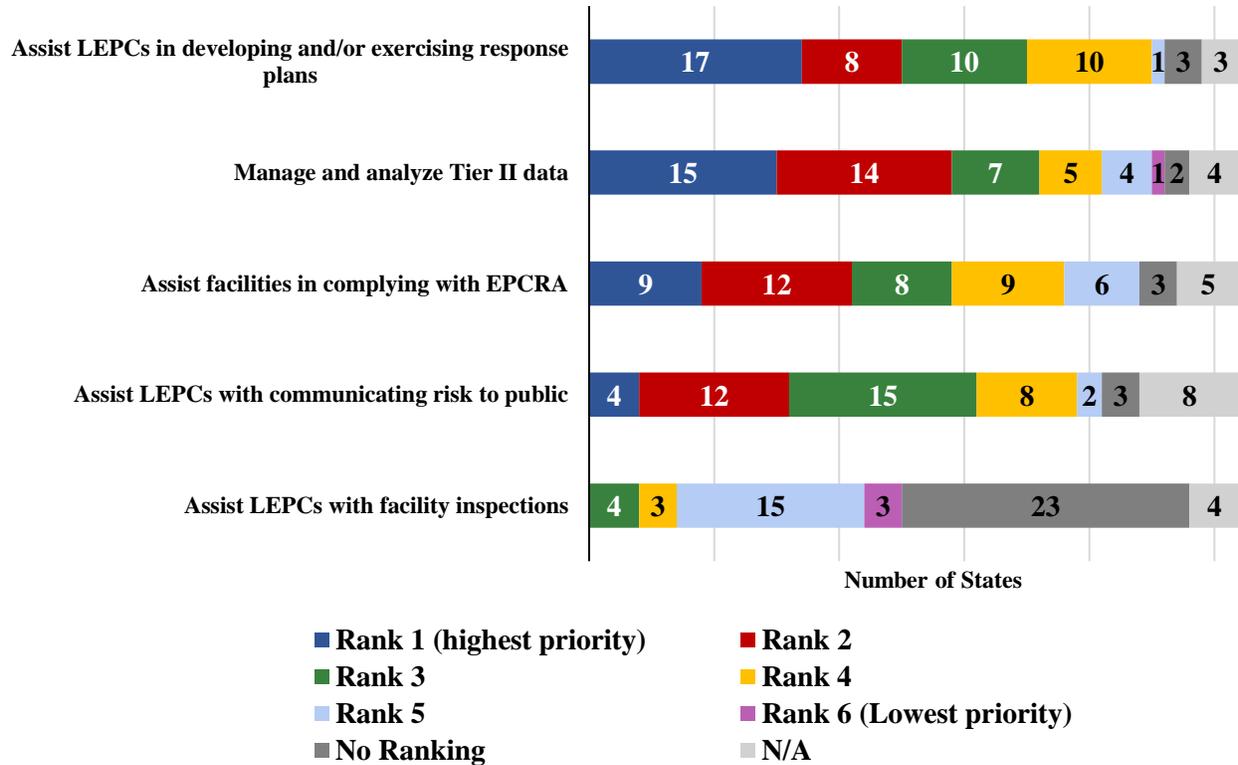
- Assist LEPCs in developing and/or exercising response plans
- Manage and analyze tier II data
- Assist LEPCs with facility inspections
- Assist LEPCs with communicating risk to public
- Assist facilities in complying with EPCRA
- Other (please specify): _____

Question #14 asked the states to rank the five functions, as well as “other” category, listed in their order of priority, with “1” being the highest priority and “6” being the lowest priority.

¹⁶ One state did not respond to this survey question.

Exhibit 6 outlines the responses received. Several states did not rank some of the priorities, while others marked certain priorities as “N/A.”

Exhibit 6. SERCs’ Priorities for Implementing EPCRA



Question #14 also asked the states to list other priorities not listed in the survey. Exhibit 7 provides a list of priorities states provided along with their ranking.

Exhibit 7. SERCs’ Priorities Not Listed in the Survey

<p>Highest Priority (Ranked 1)</p>	<ul style="list-style-type: none"> Enhance public safety and environmental protection. Train first responders. Properly fund and organize a good solid SERC and LEPC structure. Provide hazardous material (hazmat) response training and administration of grant funds Emphasize participation by the LEPC in community preparedness planning and utilize the APELL¹⁷ process and strategic planning to fill capability gaps.
<p>Medium Priority (Ranked 2, 3, or 4)</p>	<ul style="list-style-type: none"> Train first responders (Ranked 2) Teach first responders how to access Tier II data; assisting facilities with answering EPCRA questions, and training First Responders how to access Tier II information. (Ranked 3) Respond to Freedom of Information Law (FOIL) requests for Tier II data. (Ranked 4)

¹⁷ [APELL – Awareness and Preparedness for Emergencies at Local Level](#)

<p>Lowest Priority (Ranked 5)</p>	<ul style="list-style-type: none"> • Review after-action reports; provide additional technical assistance as needed.
<p>Unranked Priority</p>	<ul style="list-style-type: none"> • Fulfill state statutes, and to ensure that the state has access to locally developed hazmat teams that may respond across the state upon an approved resource request through the State Emergency Coordination Center.

While one state did not rank this priority, they reported that one of their priorities is to fulfill state statutes, and to ensure that the state has access to locally developed hazmat teams that may respond across the state upon an approved resource request through the State Emergency Coordination Center.

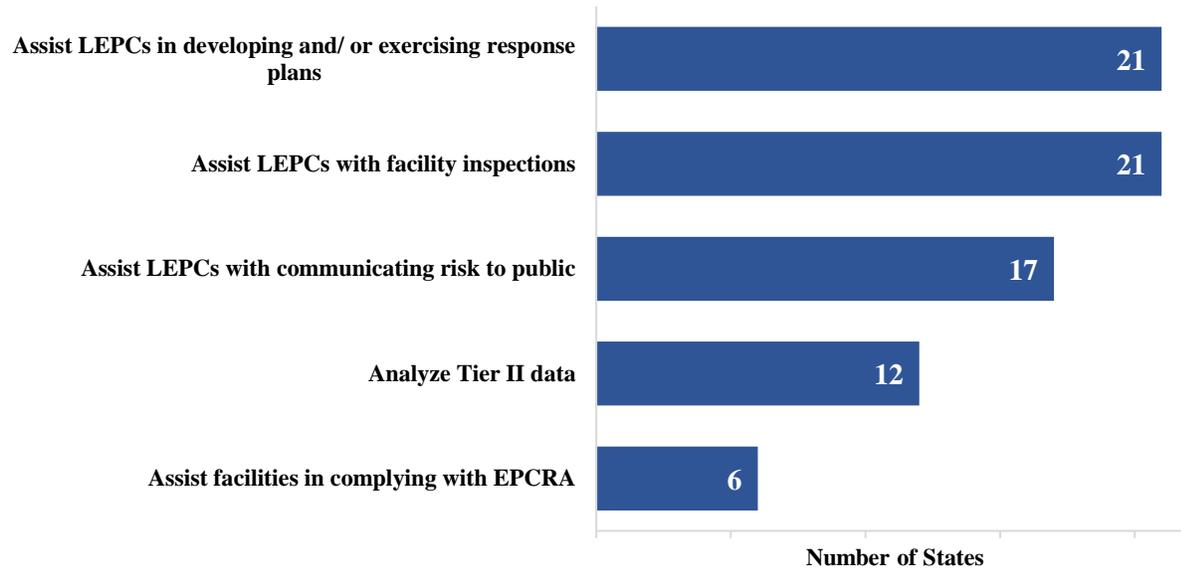
Survey Question #15:

15. Does your SERC have priorities that it is not addressing due to lack of funding? If so, please check all activities that apply.

- Assist LEPCs in developing and/or exercising response plans
- Analyze tier II data
- Assist LEPCs with facility inspections
- Assist LEPCs with communicating risk to public
- Other (please specify): _____

Question #15 asked the states to indicate which priorities they are not able to meet due to lack of funding. Exhibit 8 outlines the number of states that responded that they were unable to address the listed priority due to lack of funding. One state indicated they had no funding.

Exhibit 8. Priorities Not Met Due to Lack of Funding¹⁸



In addition, a few states provided additional concerns they have due to lack of funding:

- Lack of risk identification and assessment and community capability assessment.
- Hazard analysis program has been scaled down.
- Unable to plan additional activities for EPCRA implementation.
- Unable to adequately support LEPCs to maintain EPCRA compliance as LEPCs have primacy in sharing information with the public and performing inspections on facilities under EPCRA.
- Unable to assist LEPCs with grant funding.

1.2 Implementation of Emergency Planning Notification Provisions (EPCRA Section 302)

EPCRA provides flexibility to implement the program at the state and local levels as necessary for the community depending on the types of facilities and potential hazards present in each planning district.

¹⁸ Twelve states did not respond to this survey question.

1.2.1 Section 302 Program: Federal and State Requirements

Survey Questions #16 & 17:

16. Does your state have more stringent emergency planning notification requirements than the Federal EPCRA program?

- No, our State follows the Federal EPCRA Section 302 program
- Yes, our State has more stringent emergency planning notification requirements

If the answer to Q#16 is “No, our State follows Federal EPCRA Section 302 program” go to Q#19

17. How is your emergency planning notification program different from the federal program under EPCRA Section 302? Check all that apply.

- The State program covers additional chemicals (please send list of additional chemicals or link to the program’s list of chemicals)
- The State program has lower thresholds (please send list of thresholds or link to the program’s list of chemical thresholds)
- Other, please specify: _____

In response to question #16, seven states reported that they have additional requirements beyond the federal EPCRA Section 302 requirements. In response to question 17, these seven states reported that they have additional chemicals or lower reporting thresholds than what is required under the federal regulations. The remaining states implement the federal regulations and the list of EHSs codified in 40 CFR part 355.

1.2.2 Number of Facilities Subject to Emergency Planning (CY2020)

Survey Questions #18 & 19:

18. How many facilities in your state reported having EHSs on-site that are regulated only under your State program (i.e., not regulated under Federal EPCRA requirements)?

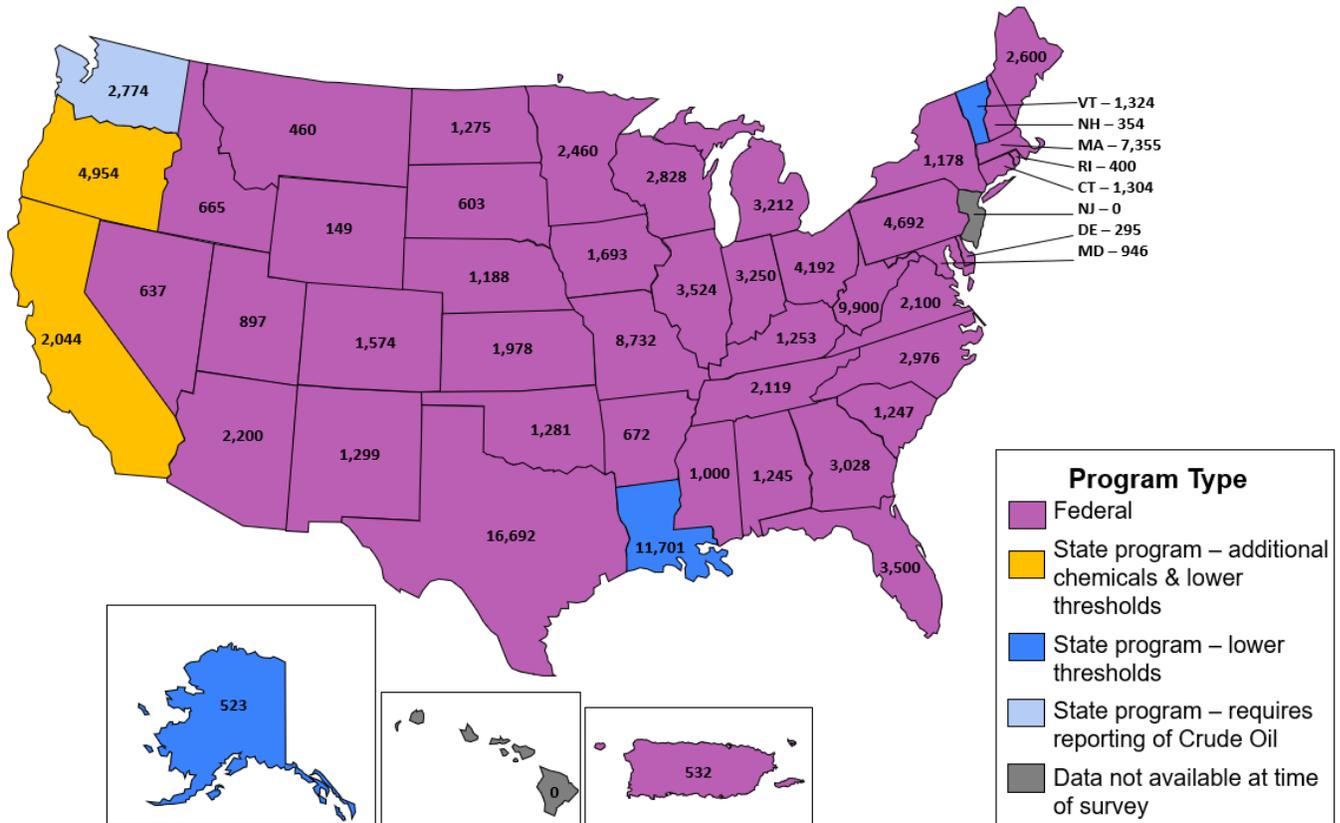
Please provide a number of facilities: _____

19. How many facilities in your state reported having EHSs on-site for both the State (if applicable) and Federal programs? (Note: As of reporting year 2014, facilities were required to indicate whether they are subject to EPCRA section 302 on their Tier II form.)

Please provide a number of facilities: _____

In questions #18 and #19, the states were asked to report the number of facilities subject to state and federal emergency planning programs. Based on the responses received, there are approximately 108,045 facilities subject to emergency planning under both state and federal programs. This means that these facilities have EHSs at or above their threshold planning quantities. Five states reported that they did not have their data readily available at the time the survey was conducted. One state reported that their emergency planning program requires facilities to report any chemical that requires a Safety Data Sheet (SDS). Two states reported that they require facilities to provide transportation routes of EHSs with their emergency planning notification. Of these, one state requires this information be reported on the facilities’ Tier II forms. Furthermore, one state requires facilities to report information on crude oil transported by rail. See Exhibit 9 for a map of the number of EHS facilities in CY2020 for each state.

Exhibit 9. Number of EHS Facilities in Calendar Year 2020¹⁹



Survey Questions #20-22:

20. Did your State designate additional facilities subject to emergency planning notification requirements?

- Yes
- No

If the answer to Q#20 is "No" go to Q#22.

21. If so, what type of facilities? Please specify the industry sector, and if possible, also provide NAICS codes (North American Industry Classification System - <https://www.census.gov/eos/www/naics/>).

22. Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for failing to provide emergency planning notification under EPCRA section 302?

- Yes. Please provide number of enforcement actions in CYs 2019 and 2020: ____
- Yes, but the most recent enforcement action was prior to CY2019.
- No

In addition to providing flexibility to implement the program necessary for their community, EPCRA authorizes the states to designate additional facilities, such as facilities that handle

¹⁹ States with a value of "0" did not have data available at the time of the survey.

hazardous wastes, to be subject to emergency planning notification. Facilities that handle hazardous wastes may or may not handle EHSs. However, designating these facilities under the state right-to-know program would require these facilities to report any chemicals, including mixtures of hazardous chemicals, which would be covered. Such facilities would also become part of the local emergency response plan. For questions #20 and #21 none of the states reported that they designated any additional facilities subject to planning.

Emergency planning notification was required at the inception of the EPCRA program so that planning for chemical emergencies could be initiated at the local level. This notification was required for all facilities in 1987 when EPA published the rule and the list of substances with their threshold planning quantities (TPQs). After that, only new facilities or already covered facilities at which a new EHS is present would have to provide notification to state and local agencies.

EPCRA allows states and local agencies to take enforcement action against facilities for not complying with its provisions. Question #22 of the survey asked states to report if they have taken any action against facilities for not complying with emergency planning notification. Only 6 states reported that they have taken enforcement actions prior to 2019 on facilities not complying with emergency planning notification requirements. One state reported that their last enforcement action was prior to 2010 and that they are planning an enforcement program in fiscal year 2023.

1.3 LEPC Information (Current Status, Active, Inactive, Non-Existence, Consolidation, etc.)

As directed by EPCRA Section 301, the SERCs appointed LEPCs for each planning district within a few months after the law was passed. Based on the reports published by the NGA during the first 10 years of the EPCRA program, approximately 4,010 LEPCs were established across the nation, including the U.S. territories.

As part of the SERC survey, states and territories were asked to confirm the status of LEPC activities (e.g., active vs. inactive; if LEPCs have an updated emergency response plan). Forty-nine states and two territories provided information on their LEPC status and activities. One state informed EPA that they do not have the resources to determine their LEPC status or if they are meeting any EPCRA requirements.

Survey Question #23:

23. (A) *Of the list provided, please note in Column F those LEPCs that are active in your State (Yes/No/Unknown) (for this survey, active is defined as conducting at least one or more of the following activities in the past year: have an emergency response plan and review/update annually; meet on a regular basis; conduct exercises to ensure that their plan can be activated during chemical emergencies; accompany fire department personnel for conducting inspections of Tier II facilities; participate in local preparedness planning; conduct public education, providing information on local hazards and facilities to community members and first responders; provide Tier II information on request).*

The LEPC information provided by the states shows that some states consolidated some of their original individual county, city, or municipality LEPCs into regional LEPCs. Other states' LEPCs continue to operate in their original form. The results of the survey show that currently

there are 2,554 active LEPCs, which include those that formed regional LEPCs. One state reported that they reconfigured their 10 LEPCs into one statewide LEPC. Based on the information provided by 49²⁰ states and two territories, approximately 1,236 LEPCs are reported as inactive or unknown²¹. A few states noted that they formed a few regional LEPCs rather than have individual LEPCs for some parts of the state for better management and to better focus on fulfilling LEPCs' responsibilities under the law.

Survey Questions #24-27 & 29:

24. (A) In Column H of the list provided, please clarify the administrative or geographic jurisdictional boundary for each LEPC, both active and inactive, using the most specific boundary. For each LEPC, please choose among the following administrative boundaries.

- County
- City
- Township
- Parish
- Municipality
- Region
- Multiple counties (please specify):
- Districts
- Other

(B) If "other" is indicated in Q24 (A), please specify and list where geographic data for this LEPC jurisdictional area can be obtained in Column I.

25. (A) In Column J, please note which LEPCs in your state have emergency response plans in place for their planning districts/communities. (Emergency response plans can be free-standing plans or part of an all-hazards plan).

(B) Please list the type of emergency response plan for each LEPC: (1) a free-standing plan; (2) part of an all-hazards plan; (3) Other in Column K.

(C) If "other" or unknown, please provide an explanation in Column L.

26. (A) In Column M, please note which LEPCs in your state that have reviewed and/or updated their emergency response plans within the past 12 months.

(B) If unknown in Q26(A), please provide an explanation in Column N.

27. (A) In Column O, please note which emergency response plans, reviewed and/or updated by the LEPC in the past 12 months (Column M), have been reviewed by you, the SERC?

(B) For those plans not reviewed by the SERC, please provide an explanation in Column P.

29. (A) On the spreadsheet provided, please note which LEPCs in your State have conducted exercises in the past 12 months to ensure that their emergency plan can be activated during an emergency in Column Q.

(B) For each LEPC that has conducted exercises, please list the type of exercise: (1) full-scale; (2) table-top; (3) actual response; (4) notification exercise; (5) Other. Please specify in Column R. Note more than one type of exercise can be identified for each LEPC, separated using a semicolon (;).

Questions #24 to #27 and #29 asked the states to indicate their LEPC boundaries, if their LEPCs have updated emergency response plans, and how often they exercise those plans. The survey

²⁰ The state that did not provide their LEPC status established 66 LEPCs at the inception of the EPCRA program.

²¹ From the survey responses, EPA was not able to determine if states marked "unknown" for some of their LEPCs because they were unable to reach them due to the pandemic, natural disasters, etc. or because they are inactive. 635 LEPCs are listed as inactive while the status of 601 LEPCs are unknown.

results show that 442 LEPCs have developed a free-standing EPCRA emergency response plan (11.7%); 1,844 LEPCs have developed an all-hazards plan (48.7%), which should incorporate chemical hazards under EPCRA; and 615 LEPCs (16.2%) have indicated some other type of emergency plan (e.g., local EOP; ESF-10). One hundred and eleven LEPCs (2.9%) have reported having both an EPCRA free-standing plan and an all-hazards plan. However, the survey responses indicate that 327 LEPCs (communities) (8.6%) do not have any type of emergency response plan, either an EPCRA standalone plan, an all-hazards plan, or other type of plan. Additionally, there were 451 LEPCs (11.9%) that had an unknown emergency response plan based on survey responses. The Agency does not have comparative data to determine if LEPCs are trending towards including EPCRA emergency planning as part of their all-hazards planning. Maps showing the status of LEPCs nationwide and types of emergency response plans are illustrated in Appendix B

LEPC Maps.

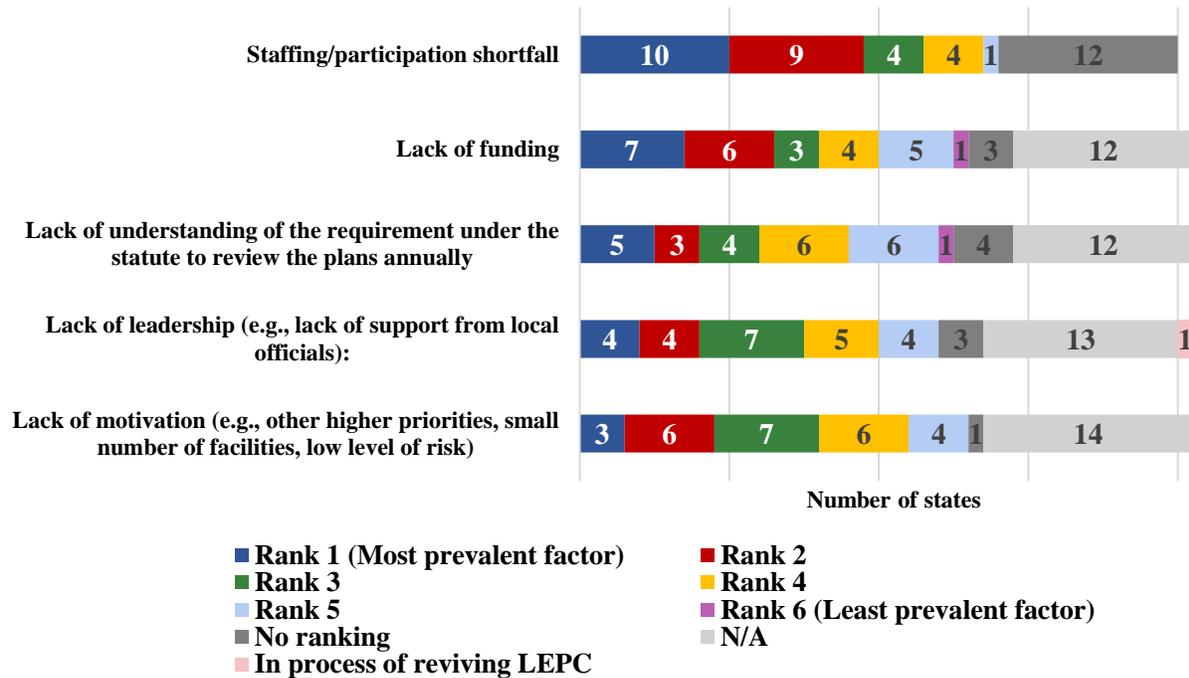
Survey Question #28:

28. For those LEPCs that do not have up-to-date emergency response plans, what do you believe are the main contributing factor(s)? Please rank in order of most prevalent factor (1) to least prevalent (5). If factors are not applicable, use 'N/A'.

- Lack of leadership (i.e. lack of support from local officials)
- Lack of motivation (i.e. other higher priorities, small number of facilities, low level of risk)
- Staffing/participation shortfall
- Lack of understanding of the requirement under the statute to review the plans annually
- Lack of funding
- Other: _____
- Don't know

Question #28 asked the states to indicate the reasons their LEPCs may not have updated chemical emergency response plans. Exhibit 10. outlines the states' ranking of each choice provided from most prevalent to least prevalent. Nine states reported that all their LEPCs have an up-to-date chemical emergency response plan, whether the chemical emergency response plan is part of an all-hazard or stand-alone plan. Most states reported that their LEPCs have additional responsibilities other than EPCRA, including responding to non-chemical hazards, for example, natural hazards, pandemic, etc.

Exhibit 10. Reasons Provided for Not Having Updated Emergency Response Plans²²



Some states provided additional reasons not listed in the survey for not having updated emergency response plans and ranked them “most prevalent” or “least prevalent.”

- Lack of understanding of how to begin and what to do. (**Rank 1**)
- COVID-19 pandemic. (**Rank 1**)
- Other grant-based priorities. (**Rank 5**)
- COVID-19 (e.g. other higher priorities; small number of facilities; low level of risk). (**Rank 5**)
- 5 - Lack of enforcement of statute requirements. (**Rank 5**)

While two states listed reasons for not having updated emergency response plan, including COVID-19 and staff turnover, these reasons were not ranked.

Several states reported that some of their LEPCs do not have an updated EPCRA 303 chemical emergency plan. These LEPCs, or their planning districts, also are not part of any local all-hazard plans. As EPA does not receive any EPCRA reports, we are unable to determine if these communities have facilities that handle hazardous chemicals and if there are potential risks to the citizens in the community or first responders.

²² Nine states indicated all their LEPCs have up-to-date emergency plans (FL, IA, LA, NC, NV, OK, TN, WI).

1.3.1 Type of Resources Provided for LEPCs

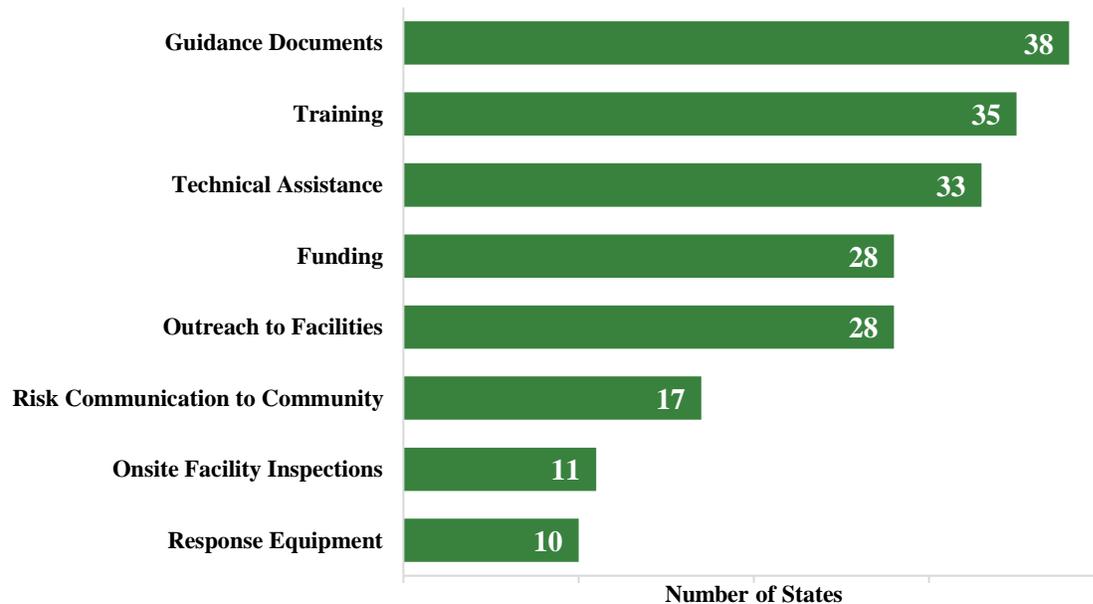
Survey Question #30:

30. *What type of resources do you offer LEPCs? Please check all that apply and include details.*

- Funding, please specify the average annual amount: _____
- Technical assistance [ex: manage facility and chemical information in Computer Aided Management of Emergency Operations (CAMEO)]
- Community risk communication
- Guidance documents
- Training (provide type and frequency of training(s)): _____
- Response equipment (provide cost estimate for equipment provided annually): _____
- Outreach to facilities
- Onsite facility inspections
- Other, please specify: _____

Question #30 asked the states to report if they offer any resources to their LEPCs to implement the program. Exhibit 11. illustrates the type of resources provided to their LEPCs.

Exhibit 11. Types of Resources States Provided to LEPCs



States that offer funding to LEPCs reported that the U.S. Department of Transportation (DOT) HMEP grant is split evenly among all their LEPCs, or among LEPCs that meet certain training requirements. One state reported that they provide to LEPCs 10 percent of fees collected from Tier II facilities in their county. Several states reported that they hold annual LEPC conferences and workshops as well as provide assistance for planning and exercises. A few states reported

that they provide training for first responders, including ammonia safety training as well as 40- or 8-hour hazmat training. Some states provide grants to buy response equipment.

1.3.2 State EPCRA Enforcement Program and Resource Assistance Requested from EPA

Survey Questions #31 & 32:

31. *Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for not providing info under 303(d)?*

- Yes. Please provide number of enforcement actions in CYs 2019 and 2020: _____
- Yes, but the most recent enforcement action was prior to CY2019.
- No

32. *What resources could EPA provide to assist you and your LEPCs?*

In response to question #31, only four states reported that they have taken enforcement action against any facilities prior to CY 2019. One state reported that these actions were taken by individual LEPCs with SERC support.

Regarding question #32, states provided the following responses for how EPA could assist them and their LEPCs:

Funding

- Support SERCs and LEPCs that are trying to promote community preparedness planning looking at all of the programs and initiatives that have come after the events of September 11, 2001.
- Provide funding support for planning and training, which would benefit smaller and more rural LEPCs, support for enforcement activities, and Tier II information management and verification.
- Funding is needed specific for EPCRA implementation. U.S. DOT has repeatedly informed the state that the HMEP grant is for in-transit preparedness. Since 1990s, there has been no funding to directly support SERCs and LEPCs with EPCRA compliance as identified in PL 101-615. SERCs, TERCs, and LEPCs need sustained funding to maintain EPCRA compliance.

Hazmat/Emergency Response Plan

- Assistance with writing hazmat plans/annexes.

Exercises/Trainings/Guidance Documents

- Share best practices from states that have vigorous EPCRA program.
- Continued/expanded support for exercises.
- Develop guidance for LEPCs on EPCRA responsibilities (A LEPC 101 course).
- Develop general guidance documents, best practices for exercising plans, and best practices for LEPC activities.
- A conference specifically for LEPCs, which would help them to get some much-needed training and resources.

- Provide more training videos and how to get more participation from those required to be on an LEPC.
- Develop trainings, host workshops, and provide tools to provide to LEPCs and Regional Emergency Planning Committees.
- Continued support for CAMEO and Tier II Submit; EPA involvement in LEPC training/workshops.
- LEPC 101 training, possibly on a regional basis.
- An updated package for submitting, tracking, and analyzing facility data. Additional training and funding resources always help, but a more robust, up-to-date package for submitting, tracking, and more powerful analysis tools for facility data that is accessible for local resources and other state/federal resources would be of greater assistance.
- Outreach support.
- Possibly some webinars specific to EPCRA and responsibilities of the LEPCs that they can log into quarterly and ask EPA questions directly.
- Coordination of a training or seminar with the state so that other government agencies and industries understand the importance of LEPCs.

Enforcement/Participation

- EPA assistance with enforcement activities. The state reported that they have little ability to fine or file suit against a facility for not filing EPCRA documents. Being able to call EPA about a facility that files late Tier II reports, for example, and knowing that EPA would investigate that facility would be really helpful.
- Legal assistance when working with hostile facilities or facilities that do not want to come into compliance.
- Attendance and participation at quarterly district (regional meetings) across the state to review EPCRA mandates, EHSs, and facility reporting requirements, among other topics.
- Some type of incentive for those facilities that not only participate in the planning process but go above and beyond in supporting the LEPC.

1.4 State Procedures for Emergency Release Notification (EPCRA Section 304) and Implementation of AWIA Requirements under Section 304

States were asked to answer questions related to implementation of emergency release notification under EPCRA Section 304, as well as questions related to meeting the requirements under the America's Water Infrastructure Act.

While the EPCRA statute provides that facilities should notify the SERC and LEPC of any releases of EHSs and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) hazardous substances (HSs), all states and territories have established a central notification system or a call center or dispatcher to receive the initial release notification. This section of the report analyzes the responses received on how states manage the emergency release notification if their program covers more stringent requirements than the federal

regulations. In addition, analysis in this section includes how states are meeting the AWIA requirements to notify the state drinking water primacy agency or community water systems of releases that affect source water intake.

1.4.1 Emergency Release Notification Systems and Federal vs. State Programs

Questions #33 to #38 requested states to provide information on their release notification system, whether facilities are submitting follow-up written reports of their releases, and if the states have more stringent release reporting requirements than the federal regulations. In addition, the survey asked states to report the number of releases of EPCRA EHSs and CERCLA HSs they received in CY2020.

Survey Question #33:

33. *If your State has its own right-to-know program, does it require release notification of substances in addition to the CERCLA Hazardous Substances and EPCRA EHSs?*

Yes (please provide a list of additional substances or a link to the list in the regulations):

No

For question #33:

- 10 states reported that they require release notification for additional chemicals. Some of these substances include produced water, oil, non-chemicals (e.g., molasses and other substances), and some chemicals from the DOT hazardous materials list. One state noted that they require notification of all chemical releases.
- Seven states did not provide any answer to question #33. The remaining states reported that they follow the federal program for covered substances and reporting thresholds.

Survey Question #34:

34. *What type of notification system is in place for fixed facilities to notify the SERC/State about releases? Check all that apply.*

State Hotline (e.g., State Warning Point)

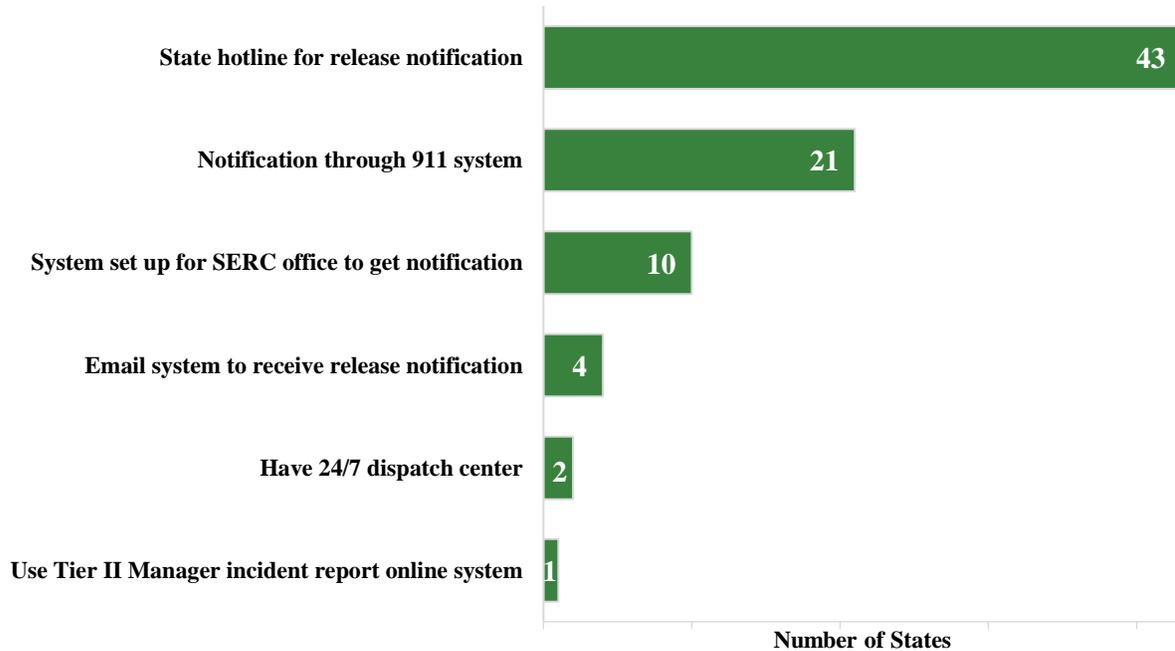
911

SERC office

Other, please specify: _____

In response to question #34, states reported that they established various methods, including a hotline, used 911, or used an email notification system for facilities to report their releases (see Exhibit 12). A few states noted more than one method for receiving release notifications.

Exhibit 12. States' Established Methods for Receiving Release Notifications



Survey Questions #35 - 38:

35. In calendar year 2020, how many releases of CERCLA Hazardous Substances and/or EPCRA EHSs were reported to the SERC, State Agency, or designated call center or hotline?

Please provide a number: _____

36. What percent of those releases reported in 2020, did the SERC receive follow-up written reports within 30 days?

Please provide percentage or exact number of facilities: _____

Please provide information on any SERC processes to follow up with facilities which have not submitted written release reports:

37. Do you have a system that tracks facilities that reported releases and submitted written follow up reports?

Yes

No

If the answer to Q#37 is “No” go to Q#39

38. If you have a system, please describe. Check all that apply

Spreadsheet

Custom application (please describe): _____

Other (please describe): _____

Questions #35 to #38 asked states to provide the number of releases of EPCRA EHSs and CERCLA HSs they receive, if facilities submit follow-up written reports, and if the states have

any system to track release notifications. Many states reported that in addition to EPCRA EHS and CERCLA HS releases, they also receive notifications of oil releases. Only a few states reported the number of EHS or CERCLA HS notifications they received in CY 2020. In response to questions related to follow-up written reports, some states noted that they only receive a certain percentage of reports. These states reach out to facilities that do not comply with the requirement. Most states noted that they keep track of the release notifications either in a spreadsheet, database, or online system. One state noted that they use E-Plan²³ to keep track of the release notifications, while another state noted that they use the TIER II MANAGERTM software²⁴ to keep track of the release notifications.

- 10 states use a database to keep track of the release notifications.
- 11 states use a spreadsheet to keep track of the release notifications.
- 21 states noted they do not keep track of the release notifications.

1.4.2 Amendments to EPCRA Section 304: AWIA Requirements & Implementation

Survey Questions #39-41:

39. *To ensure compliance with AWIA requirements (which went into effect on October 23, 2018), do you have a system and/or process in place to notify the State Drinking Water Primacy Agency or the community water system about releases?*

- Yes, please describe the system and/or process: _____
- No

40. *How does your State ensure that the State Drinking Water Primacy Agency or community water system receives notification of transportation-related releases? (Note: Although section 2018(a) of AWIA does not specify how transportation related releases should be forwarded to the state drinking water primacy agency or community water systems, EPA encourages SERCs to coordinate with 911 operators or any other established system that receives release notification to notify the state drinking water primacy agency (or community water systems) that may be affected by the release.) Please include any challenges and/or issues with implementing the AWIA amendments.*

41. *How can EPA assist you in implementing the AWIA requirements?*

Questions #39 to #41 are related to the implementation responsibilities under AWIA. All but four states reported that they have a system established to notify either the drinking water agency or the community water systems if releases occur at fixed facilities or from transportation-related releases. A few states reported that their notification system was established prior to AWIA enactment.

²³ E-Plan is a software developed by University of Texas in Dallas that some states use for facilities to submit their hazardous chemical inventory report under EPCRA section 312.

²⁴ TIER II MANAGERTM is another reporting software that some states use for facilities to submit their hazardous chemical inventory report under EPCRA section 312.

The Agency also asked the states to note if any assistance from EPA is needed to implement the AWIA requirements. A few states requested funding to assist with resources needed to implement this new requirement. Some states asked EPA to share best practices from other states on AWIA implementation as well as to provide training, workshops, and guidance for those that are new to the EPCRA program. Appendix C

AWIA Implementation Practices in this report provides some practices shared by states in the survey responses.

1.5 Tier II Data Management Analysis & Summary

This section of the survey includes questions related to states' implementation of the EPCRA Section 312 program, management of the Tier II data, reporting software, and the process of providing Tier II data to the community water systems as required by AWIA. A few states did not respond to all questions in this section of the survey.

1.5.1 Federal vs. State Tier II Program and Number of Covered Facilities

Survey Questions #42-44:

42. Does your State have more stringent requirements for hazardous chemical inventory (Tier II) reporting than the Federal EPCRA program?

- No, our State follows the Federal EPCRA Section 312 program
- Yes, our State has more stringent state requirements

If the answer to Q#42 is "No, our State follows the Federal EPCRA Section 312 program", go to Q#44.

43. How is your Tier II program different from the Federal EPCRA Section 312 program? Check all that apply.

- Our program covers additional chemicals (please provide list of additional chemicals or link to the list of chemicals in the state regulations)
- Our program has lower reporting thresholds (please provide list of thresholds or link to the thresholds in the state regulations)
- Our program requires electronic reporting
- Other, please specify: _____

44. How many facilities in your state submitted a Tier II form in reporting year 2020 (please include all facilities that reported for both state-specific and federal requirements)?

Please provide a number: _____

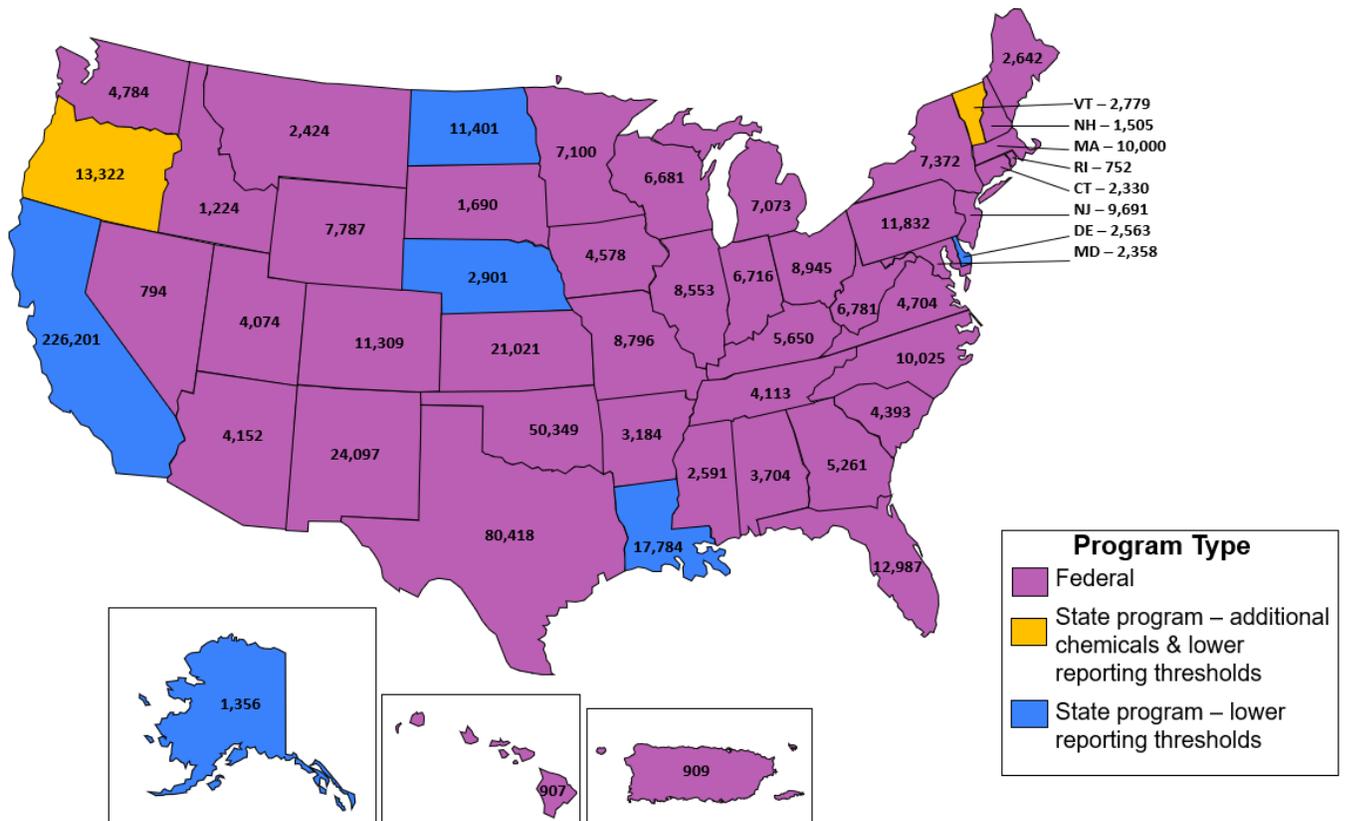
Questions #42 to #44 are related to the implementation of EPCRA Section 312, if the state follows the federal regulations, or if it has a more stringent program. The survey also asked the states to report the number of facilities that complied with these regulations. See Exhibit 13 for a map of the number of Tier II facilities in calendar year 2020 for each state.

- 39 states reported that they follow the federal reporting requirements for EPCRA Section 312.
- 14 states reported that their state program has either additional chemicals or lower reporting thresholds than the federal EPCRA Section 312 regulations.

- One of these states reported that it requires facilities to report any new covered chemical within five business days of acquiring that substance.
- Another state reported that it also covers state and locally owned facilities in the state EPCRA Section 312 program. In addition, this state requires facilities handling ammonium nitrate to report within 72 hours of becoming subject to the regulations.
- Another state reported that they require facilities to report the actual amount of hazardous chemicals present on site rather than reporting in ranges as required under the federal regulations.

There are approximately 663,095 facilities covered under both state and federal programs. Two states were not able to provide this information during the time of the survey.

Exhibit 13. Number of Tier II Facilities in Calendar Year 2020



1.5.2 Tier II Reporting Software used by States, One-Stop Filing, Tier II Filing Fee

Survey Questions #45-51:

45. What software does your state currently use for Tier II reporting? Check all that apply.

- TIER II MANAGER™ online reporting system
- E-Plan
- State-developed online reporting tool
- Tier2 Submit
- No software
- Other, please specify: _____

If answer to #45 has check for “Tier2 Submit”, then skip to #48.

46. Has your state ever used Tier2 Submit software?

- Yes. Please list the last reporting year Tier2 Submit was used: _____
- No

47. What are the main reasons that your state does not use Tier2 Submit? Check all that apply.

- Does not meet needs for state-specific requirements
- We have always used other software, and we do not want to switch
- Other software has additional functionality that we use. Please specify the functions missing from Tier2 Submit: _____
- Don't know
- Other (please specify): _____

48. Do you accept hard copy of the Tier II form from facilities unable to submit electronically?

- Yes
- No

49. What is the cost for managing Tier II data both in funding and FTE on an annual basis (if you don't know, please include an explanation)?

Please provide annual funding: _____

Please provide number of FTEs: _____

50. Does your state provide one-stop filing for Tier II forms? (i.e., the state collects the Tier II forms from facilities and provides access to the LEPCs and the fire departments, rather than facilities submitting Tier II forms to all three entities (SERC, LEPCs and the fire departments))

- Yes
- No
- Other, please specify: _____

51. Does your State charge a fee for facilities filing a Tier II form (i.e. Federal Tier II form or the State equivalent)?

- Yes. Please provide the fee charged and/or fee structure: _____
- No

Questions #45 to #51 are related to the reporting software for collecting hazardous chemical inventory reports under EPCRA Section 312 and the cost for managing or maintaining the state-specific reporting software, including the reasons for not using the Tier2 Submit software provided by EPA. The survey also requested states to report if they accept hard copies of the Tier II form from facilities, if they have one-stop filing for Tier II reports, and if any fees are charged to facilities for filing the Tier II report.

In response to question #45, eighteen states reported that they use Tier2 Submit as their reporting software during the time of this survey. Eleven states reported that they use E-Plan. One of these indicated that they also allow facilities to use Tier2 Submit. Twenty-three states use TIER II MANAGER™ or a state-developed reporting software.

In response to questions #46 and #47, only a couple of states reported that they have used Tier2 Submit software previously. These states reported that they are now using state-developed or private software because Tier2 Submit does not meet their needs.

For question #49, most states reported that there is no specific funding allocated to manage or analyze the Tier II data, as EPCRA is an unfunded mandate. Most states reported salaries of the personnel assigned to receive and process Tier II reports submitted by facilities, while other states reported the maintenance or support fees charged by private reporting software companies based on the number of facilities. A few states reported that they simply collect the Tier II reports but do not have the resources or funding to analyze them. Twelve states did not provide any funding information for managing the Tier II data.

In response to question #51, approximately 27 states reported that there is a fee associated with submitting a Tier II report. This includes fees charged by University of Texas-Dallas for the E-Plan reporting system and direct fees charged by some states based on the number of chemicals. Some states indicated that they provide funding to their LEPCs collected under the Tier II filing fees. One state did not respond to this question.

Responses to questions #48, #50, and #51 from each state are included in Appendix D

State Profiles.

1.5.3 AWIA Implementation – Providing Tier II Information to the Community Water Systems

Survey Question #52:

52. Briefly explain your process for providing access to Tier II information to the community water systems as required by AWIA amendments.

Question #52 asked states to report their process for providing access to the Tier II information upon request by the community water systems. EPA held AWIA workshops for the states in EPA Regions 1, 3, 4, 5, 8, and 9 to ensure proper coordination between EPCRA state coordinators and state drinking water agency representatives. Appendix C

AWIA Implementation Practices provides some practices shared by several states related to how they and their LEPCs share Tier II information with the community water systems.

Survey Questions #53 & 54:

53. Do any Tribes in your State collect Tier II information?

- Yes
- No

If answer to Q53 is 'No', skip to Q55

54. Does the Tribe share Tier II data with the State?

- Yes
- No

Only six states reported that tribes in their state collect Tier II reports and share the data with the state. Of these, one state reported that a tribal entity submits a Tier II report to them.

1.5.4 Outreach to Inform Facilities of Reporting Obligations

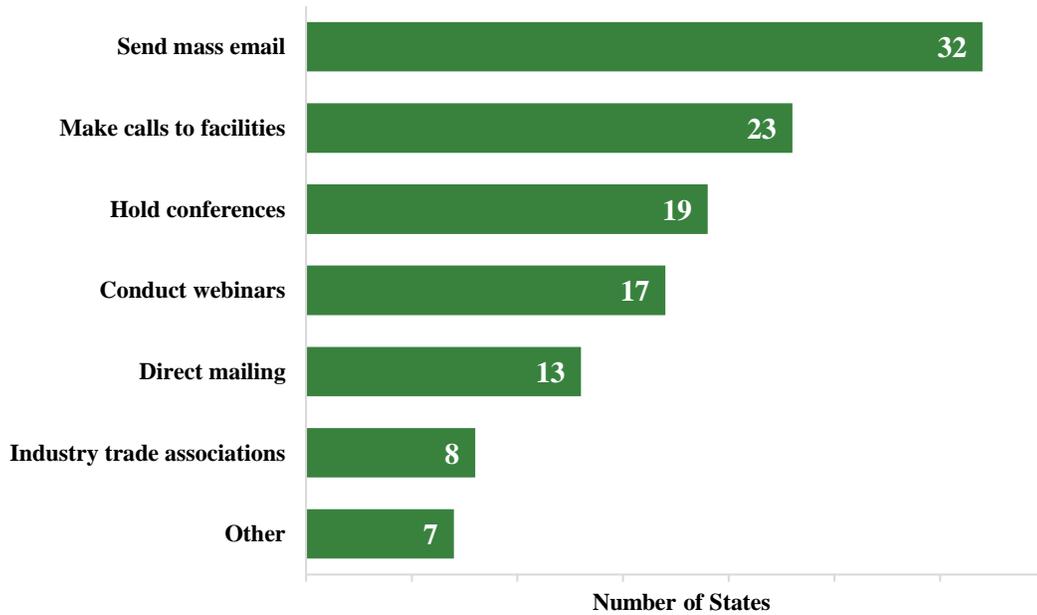
Survey Question #55:

55. What type of outreach do you conduct to inform facilities of their annual reporting obligation under EPCRA Section 312? Check all that apply.

- Webinars
- Mass emails
- Phone calls
- Conferences
- Trade Associations
- Direct mailings
- Other, please specify: _____
- None

Exhibit 14 shows the responses received regarding the various types of outreach that states conduct to inform facilities of their reporting obligation. Most of the states reported that they use a combination of several ways to conduct outreach. Five states reported that they do not conduct any outreach, while two states reported that their LEPCs conduct outreach. A few states indicated that they use automated email as a reminder to the facilities that complied in previous years.

Exhibit 14. Outreach Used to Inform Facilities of Reporting Obligations



1.5.5 Processes to Identify New Facilities and Non-Filers

Survey Questions #56 & 57:

56. Do you have any processes in place to identify and contact facilities that have not previously reported a hazardous chemical inventory (Tier II), but may be subject to those requirements (e.g., entities that are not aware of their reporting responsibilities)? If yes, please provide details.

- Yes. Please describe the process and provide the number of facilities identified in CY2020:

- No

57. Does your State have a process for identifying and contacting potential Tier II non-filers that previously complied with reporting requirements?

- Yes. Please describe the process and provide the number of facilities identified in CY2020:

- No

Questions #56 and #57 requested the states to report their methods for identifying facilities that are non-compliant or for finding potential non-filers. In response to question #56, 18 states reported that they have a process for identifying facilities that are not aware of EPCRA Section 312 reporting requirements, while 32 states reported that they do not have any process. One state did not respond to this question. Responses regarding the methods states use to identify potential covered facilities included:

- When new facilities get a permit under other state programs, they receive a factsheet of all other programs, including EPCRA.

- LEPCs call new facilities in their community to inform them of the reporting requirements.
- Field compliance specialists visit facilities and educate them about EPCRA reporting requirements.

In response to question #57, 22 states reported that they do not have a process for identifying or contacting facilities that reported previously but are not currently in compliance. Twenty-nine states indicated various ways to find facilities not in compliance. Several states reported that they mail letters, send email, and place calls to the facilities that have not filed reports in the current year. One state reported that they found 650 facilities not in compliance, another state reported 500 facilities not in compliance, and yet another state reported they found 90 facilities not in compliance. Here are some of the methods these states use to find non-compliant facilities:

- One state has an online reporting system that can easily generate a comparison report to see which facilities have not complied in the current year.
- Some states develop a list of facilities with outdated reports. The list is generated at the end of each reporting season. Facilities that have not updated their report are contacted via email, phone call, letter, or by audit/inspection to verify whether they no longer need to report.
- One state has persons drive around town to spot facilities with tanks or drums stored on their property but that have not complied with EPCRA reporting requirements. The state then contacts these facilities and provides a factsheet or brochure with reporting requirements. The state has brought 120 new facilities into compliance using this method.
- One state has LEPCs review previous reports and compare them to the facilities reported in the current year. If any facilities are discovered to be not in compliance, the relevant LEPC sends email to those facilities.
- One state uses Tier II reports collected by E-Plan, which are then used to compare all facilities that reported previously to the current year.
- One state cross-reference lists of facilities by reporting year in TIER II MANAGER™.
- Another state uses Tier II data manager to review and identify facilities with outdated reports.
- Some states refer potentially non-compliant facilities to EPA. If a facility is not complying after several attempts of informing them, then the facility is referred to EPA to take enforcement action.

1.5.6 State Enforcement Program for Tier II Non-Filers

Survey Questions #58 & 59:

58. *Does your State have an EPCRA enforcement program that addresses non-filers, or do you refer non-filers to the EPA?*

- Has own enforcement program
 Refer non-filers to EPA

59. *Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for not submitting Tier II forms?*

- Yes. Please provide number of enforcement actions in CYs 2019 and 2020: _____
 Yes, but the most recent enforcement action was prior to CY2019.
 No

Questions #58 and #59 asked the states to report if they have their own enforcement program for facilities that are not complying with EPCRA Section 312. Thirty states reported that they refer non-filers to EPA, while 9 states indicated that they have their own enforcement program. Three states reported that sometimes they take enforcement action and other times they refer non-filers to EPA. Three states did not respond to question #58.

In response to question #59, only five states reported having taken an action against a facility for not submitting a Tier II form. One state reported that their LEPC has taken actions but with support of the SERC.

1.5.7 States' Challenges for Managing the Tier II Program

Survey Question #60:

60. *What are your challenges and/or issues with managing the Tier 2 program? And how can EPA assist in addressing those issues?* _____

In response to question #60, states reported challenges as well as how EPA can assist in addressing them:

Challenges: Funding/Limited Personnel

- Limited staffing makes it difficult to follow up with facilities that should be reporting or have missed a reporting deadline.
- The main issue is lack of funding and personnel to do the job correctly.
- It is difficult to dedicate an employee to the program without any funding.
- Funding is the largest challenge to collecting, analyzing, and interpreting the Tier II reports. Additional resources to help collect, analyze, and disseminate the data to local, regional, and state partners would make the process more effective and efficient and provide a better way to track the overall inventory of these materials.
- Staffing and funding are inadequate.

Request EPA's Assistance: Enforcement

- Need assistance in enforcement of Tier II reporting. EPA should monitor non-reporters and enforce non-compliance.

Request EPA's Assistance: Reporting Requirements

- Some facilities in the state have headquarters in other states. The states need help to make sure that these facilities need to check with the state that the facility is located in to make sure they are aware of state laws that they need to comply with.
- The current threshold for non-EHS chemicals is too high. This forces LEPCs to act on their own to request information on chemicals held at lower quantities. This is a resource drain in most communities. Establishing lower thresholds for potentially airborne chemicals would be useful.
- EPA should develop a web-based version of Tier2 Submit so managing Tier II reports would be easier.
- Some challenges include determination of what is considered a reportable substance; for example, fertilizer and if it is retail (and therefore exempt from reporting) or non-retail and needs to be reported.

Request Assistance from EPA: Facility Compliance

- One state recommended building a partnership between SERCs and the EPA to help identify facilities that are out of compliance and for such facilities to get audited/inspected.
- One state reported that their biggest challenge is the size of the state and knowing what facilities are located in rural areas, particularly those without an active LEPC. There is limited LEPC capacity to conduct outreach and limited fire department ability to conduct facility inspections.
- One state reported that their biggest issue is finding potential new facilities that have not filed a Tier II report.

1.6 Procedures for Providing Access to the Public

As required under EPCRA Section 301, SERCs and LEPCs are required to establish processes and procedures for providing public access to the reports submitted by facilities and including the local emergency response plan developed by the LEPC, if requested by a member of the public.

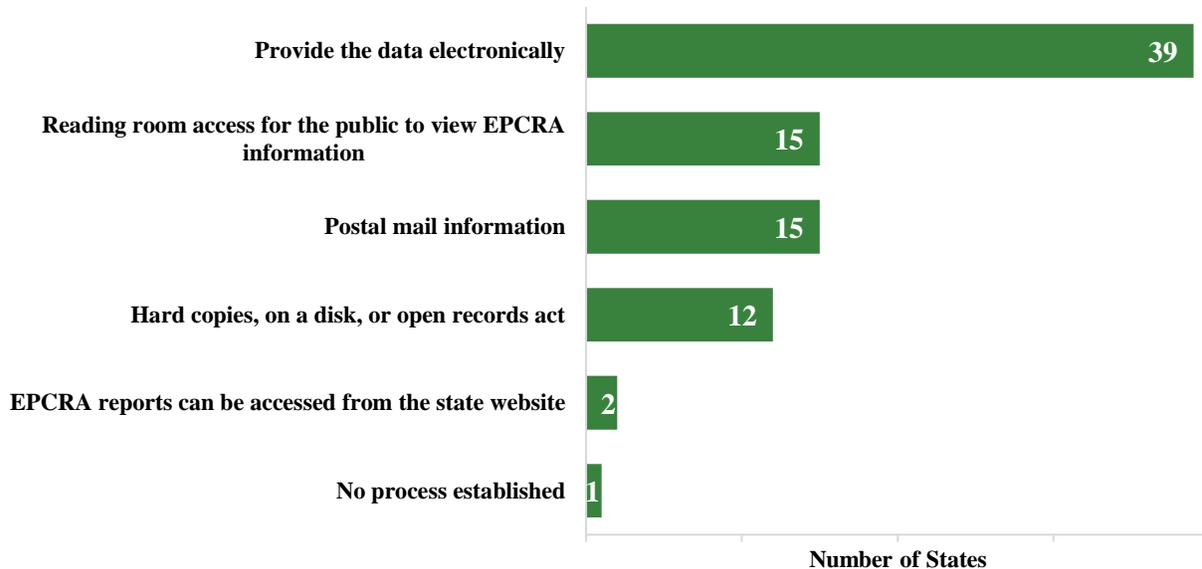
Survey Questions #64:

64. What procedures does your SERC organization follow for processing public requests for information? Check all that apply.

- None
- Reading room access for the public to view EPCRA information
- Provide the data electronically
- Postal mail information
- Other, please specify

In response to question #64, Exhibit 15. shows various ways states or their LEPCs provide public access to EPCRA reports. Most of the states indicated more than one method for providing access to information.

Exhibit 15. Methods to Provide Public Access to EPCRA Reports



1.6.1 Public Request Processing Fee & Funding and FTEs

Survey Questions #65 & 66:

65. Is there a fee for processing requests for the public, such as a photocopying charge?

- Yes. Please provide the amount charged: _____
- No

66. How much funding and FTEs are allocated to this task?

Please provide amount of annual funding: _____
 Please provide number of FTE: _____

For question #65, 21 states reported that they charge a fee for photocopying if the information requires printing more than a certain number of pages, or if information is provided on a compact

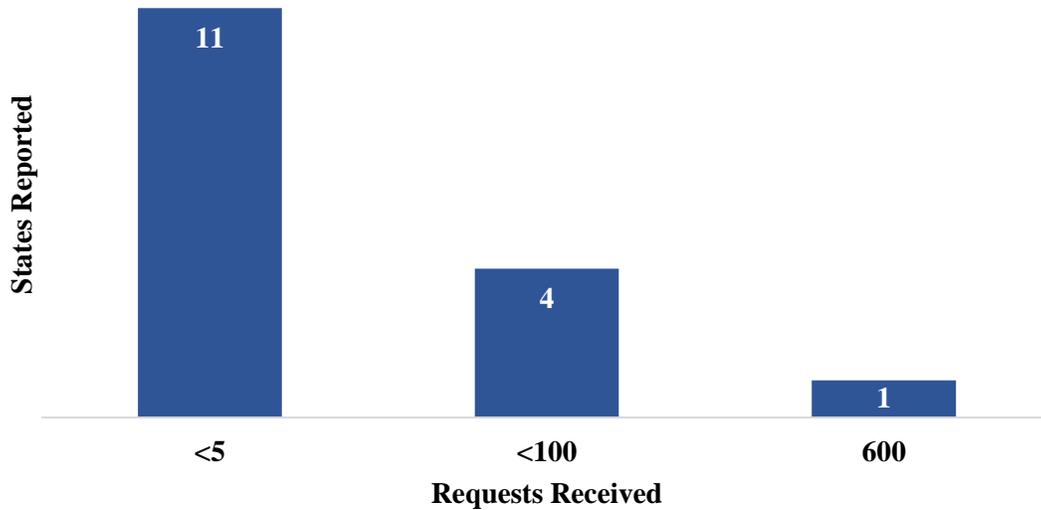
disc or floppy disk. Of the states that charge a fee, it ranges from \$0.10 to \$1.00 per page. States that provide information electronically, by email, do not charge any fee to the person requesting the information. For question #66, all states reported that there is no funding specifically allocated for providing information to the requestor; it is usually considered as part of a staff person’s normal duties at the state agency.

Survey Questions #67:

*67. How many requests for information from the public did the SERC receive in CY2020?
Please provide a number or estimate: _____*

In question #67, the survey asked states to report how many requests for information access they received in CY2020. Eight states reported that they did not receive any requests from the public. In Exhibit 16, 11 states reported that they received 1 to five requests, while four states indicated that they get under 100 requests. One state reported that they received 600 requests in CY 2020. Seven states did not respond to this question.

Exhibit 16. Requests Received by States in CY2020



2. States’ Challenges and Other Concerns for Implementing EPCRA

This chapter summarizes the priorities, challenges, and other concerns reported by states in questions #83 and #85. These questions are listed below.

2.1 States’ Challenges in Implementing EPCRA

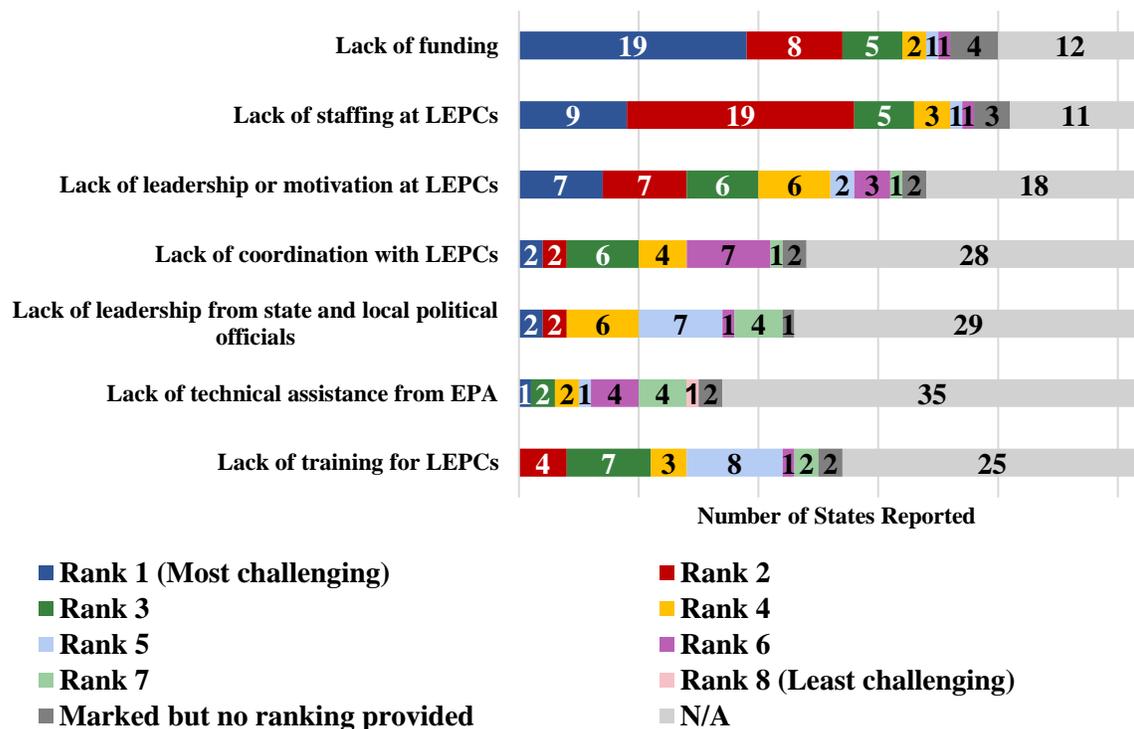
Survey Question #83:

83. *What are your State’s challenges in implementing EPCRA? Please rank in order of most challenging as a ‘1’, and if not a challenge please mark as ‘N/A’.*

- ___ Lack of funding
- ___ Lack of coordination with LEPCs
- ___ Lack of technical assistance from EPA
- ___ Lack of staffing at LEPCs
- ___ Lack of leadership or motivation at LEPCs
- ___ Lack of leadership from state and local political officials
- ___ Lack of training for LEPCs
- ___ Other, please specify: _____

In response to this question, Exhibit 17. outlines EPCRA implementation challenges for states.

Exhibit 17. States’ Challenges in Implementing EPCRA



Funding is a major challenge for many states and the lack thereof, can send the message that EPCRA implementation is not important. States expressed that local governments prioritize activities with funding or enforcement consequences. Local authorities focus on their own priorities and local responders and planners address the priorities of their elected officials.

A few states reported challenges that are not listed in question #83, (including ranking):

- **(Rank 1)** - Limited resources for local planners and responders in remote areas.
- **(Rank 1)** - Difficulty in keeping LEPCs active when releases occur infrequently.
- **(Rank 1)** - Confusion over EPCRA requirements and all-hazards planning.
- **(Rank 1)** – Confusion over LEPC responsibilities.
- **(Rank 1)** - Not all LEPCs are associated with particular municipalities.
- **(Rank 1)** - Competing non-LEPC priorities for LEPC members.
- **(Rank 2)** - Competing priorities, including COVID-19 response.
- **(Rank 2)** - Turnover of LEPC membership.
- **(Rank 2)** – Lack of SERC staff.

Additional unranked concerns include:

- Lack of training for SERC members.
- No funding for a web-based reporting system.
- Fully staffing/implementing EPCRA with volunteers (such as volunteer fire departments or Regional Review Committees).

2.2 LEPCs’ Challenges and How to Address Them

Survey Question #85:

85. If you or any of your LEPCs are currently experiencing any challenges in implementing EPCRA and its requirements, what would it take to address those challenges?

Question #85 asked SERCs to provide ways to address challenges faced by both states and LEPCs.

Funding/Staffing

- Increase staffing.
- Additional funding to provide training for new LEPC members and to develop refresher courses on LEPC roles, responsibilities, and statutory requirements.
- Increased regionalism of LEPCs (combining small LEPCs or based on low risks in the community) to coincide with other emergency planning district jurisdictions; may require dedicated staff at the state or local level.
- Regionalizing the LEPCs would allow the SERC to better manage and support the communities and to gain participation while supporting the smaller communities.

- Create an HMEP grant-like program or another sustained funding option for fixed facilities to encourage stronger growth in the LEPCs and better training for first responders.
- Dedicated funding for the planning of chemical/hazardous materials exercises and a dedicated practitioner to plan, lead, and evaluate the exercises.
- Provide funding for a web-based reporting application, which would free up staff to address other program issues.
- Provide funding to improve structure of SERC.
- Provide LEPC staff for onsite visits and audits.
- Change state laws to raise the fees that fund the EPCRA program.
- Improve cooperation between state agencies that implement EPCRA.

Guidance/Training

- Enhance agency leaders' understanding of their role to provide foundational guidance for the program.
- Provide more guidance on how LEPCs can implement EPCRA.
- Provide more training/guidance/resources to increase understanding of the EPCRA program at the state and local level, including LEPCs and local responders.
- Have EPA representatives attend local district/regional meetings to ground truth EPCRA implementation.
- Have EPA provide on-line EPCRA training for county LEPCs and industry.
- Share best practices for SERC operations with no or low funding.

Participation/ Representation

- Have EPA provide guidance to SERCs on their role, responsibilities, best practices.
- Share LEPC best practices for increasing engagement with member agencies.
- Best practices and assistance for SERCs to ensure LEPCs follow state and federal laws.

Compliance/Especially with Hazmat

- Identify a “champion” to help LEPCs meet their EPCRA requirements.
- Establish enforcement capability at the state level to ensure EPCRA compliance at the local level.
- Involve multiple agencies/groups in discussions about compliance.

2.3 Additional Concerns and Comments Provided by States

Survey Question #86:

86. If there is anything else you would like to share, please include here:

The last question in the survey asked the states to provide any additional concerns they may have about EPCRA implementation or EPCRA generally, which were not covered in the survey. A few states provided the following as requested by question #86:

Funding/Staffing

- Need staff dedicated to the EPCRA program, but are limited by a to lack of funding.

Compliance

- States need stronger enforcement options than withholding Tier II funds for LEPCs without EHS plans.
- Hold quarterly meetings with EPA and the states to collaborate and discuss EPCRA program successes/challenges, etc.
- Clarify EPCRA roles and responsibilities for SERCs, LEPCs, and local entities.

3. Best Practices in Implementing EPCRA

This section of the report discusses some of the best practices that states follow to implement the EPCRA program. In addition, this section discusses types of resources provided to LEPCs in meeting their requirements under EPCRA. Several states requested that EPA share best practices collected in the survey. EPA encourages those states facing challenges to adopt successful practices shared by states with robust EPCRA programs.

3.1 States' Best Practices and Resources Provided for LEPCs

Survey Questions #82 & 84:

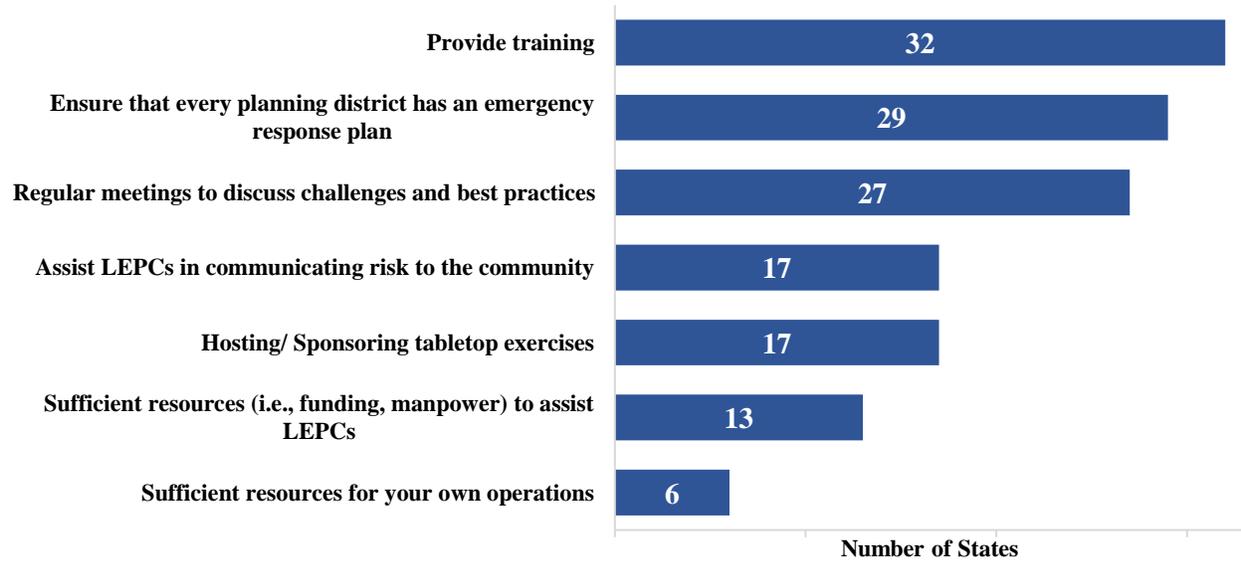
82. What are the best practices used and resources provided in your state to implement EPCRA? Check all that apply.

- Regular meetings to discuss challenges and best practices
- Ensure that every planning district has an emergency response plan
- Sufficient resources (i.e., funding, manpower) to assist LEPCs
- Sufficient resources for your own operations
- Provide training
- Assist LEPCs in communicating risk to the community
- Hosting/Sponsoring tabletop exercises
- Other, please specify: _____

84. In addition to information provided in Q#82, please share other practices that make your EPCRA program successful. _____

Question #82 asked the states to indicate their best practices for implementing the EPCRA program (see Exhibit 18.). In response to question #84, a few states provided additional practices that make their program successful and indicated they are planning certain activities to reinstate the EPCRA program and provide funding and technical assistance to LEPCs to meet their responsibilities under the law.

Exhibit 18. Best Practices Used and Resources Provided to Implement EPCRA



In addition to indicating successful practices for the items listed in the survey, some states provided the following activities that make their EPCRA program successful:

LEPC Meetings/Conferences/Outreach/Training/Establish Regional LEPCs

- Hold direct meetings with LEPCs on their turf and annual LEPC conferences.
- Hold conferences, workshops, webinars, tutorials, education, outreach/marketing and one-on-one contact and technical assistance with regulated facilities and LEPCs.
- Provide technical assistance, education outreach and an emergency management approach, promoting why EPCRA is important to regulated facilities, and the local community (e.g., workers, residents, fire departments, LEPC and the state etc.) to EPCRA.
- Hold annual webinars for LEPCs and industry on old and updated EPCRA requirements.
- SERC outreach to all LEPCs, workshops, and other trainings; SERC staff attends most LEPC meetings. SERC holds Tier II Stakeholder meetings for facilities that are subject to EPCRA.
- Annual state-hosted LEPC conference that allows LEPCs to share information and get their questions answered.
- SERC-member visits to LEPCs to show support to elected officials.
- Have regional LEPCs, which allows better use of funding, emergency planning, and resource allocation than having on LEPC per county.
- Launched very good outreach programs.

Funding

- Provide funding to LEPCs from fees collected for filing EPCRA reports.
- Offer field assistance to the regulated community and LEPCs.
- Require annual exercises from all LEPCs and annual plan submission for review by the SERC.
- Industry-funded State Hazmat Grant Program.
- Use the DOT-HMEP program to ensure that every planning district has an emergency response plan.
- Provide financial assistance for operations, planning, training, and equipment.
- Use grant money to develop an EPCRA compliant hazmat template for communities.
- Provide strong assistance to LEPCs. The state has an annual exercise requirement and has a filing fee schedule that in turn helps provide funding to statewide LEPCs.
- Provide Tier 2 reporting instructions/videos on the state website, referencing EPA's EPCRA website for resources. The state has provided Tier 2 reporting training at LEPC meetings at the Governor's Safety Summit and at the LEPC Western Regions Conferences. Staff at the State Fire Marshal's Office regularly provide Tier 2 and release reporting training to LEPCs and emergency management groups.

Tier II Reporting Software and Fee System

- Have a fee system for filing Tier II reports that funds the SERC/LEPC and supporting groups.
- Mandate single point submission and electronic collection system. Ensure LEPCs know how to use data and distribution to the Fire Departments. Provide funding for distribution of Tier II Data. Provide training and aid to LEPCs on Tier II Data.
- Use the online database to easily manage and share data.
- Have an electronic reporting system, a statewide regional HazMat Teams program covering the entire state, to help manage Tier II reporting. Have dedicated staff with the primary (exclusive) goal of assisting LEPCs in accomplishing their mandates.
- Mandate electronic reporting for Tier II submissions so more compliance is evident from the reporting facilities. In addition, LEPCs and emergency management Coordinators are using this data more in emergency response planning, training exercises and actual responses.
- Use of E-Plan is vital to our success as it is easy track or review the data.
- Convey importance of EPCRA compliance to the facilities and LEPCs in our state.

Good Working Relationships & Assistance to LEPCs

- Distribute all rule, guidance, and policy documents to the regulated community as well as LEPCs.

- Provide training on CAMEO/Marplot/Aloha/Tier2 Submit to LEPCs and fire departments.
- Have good relationships with local communities.
- Explore ways to provide local agencies with more direction on EPCRA and EPCRA compliance.
- Provide quality customer service and assistance provided to facilities with single point of contact for the program.
- Spend a lot of time working directly with our LEPCs with the hazmat staff at our emergency management.
- Have three full-time employees with day-to-day responsibilities for LEPCs.
- Connect with LEPCs and provide them with the right resources.
- Having a deep working relationship with LEPCs allows both agencies to help answer questions from the communities regarding LEPCs, the work of the LEPCs, and the importance of pre-planning and information sharing.
- Plan to hold regional workshops for LEPCs to map out their baseline EPCRA requirements with a new LEPC Handbook we developed. Provide state funded grants, the annual Tier II fees collected by the state, to the LEPCs to support them in this process.
- Establish workgroups and sub-workgroups, including, EPCRA Advisory Workgroup, WHOPRS²⁵ Subgroup, Planning Subgroup, and Grant Subgroup to tackle issues.

²⁵ Wisconsin Hazmat Online Planning and Reporting System

4. EPCRA Implementation Assistance for SERCs and LEPCs

In addition to requesting states to report their challenges and best practices, question #81 of the survey asked the states to indicate what type of EPCRA implementation assistance they are seeking from EPA for SERCs and LEPCs.

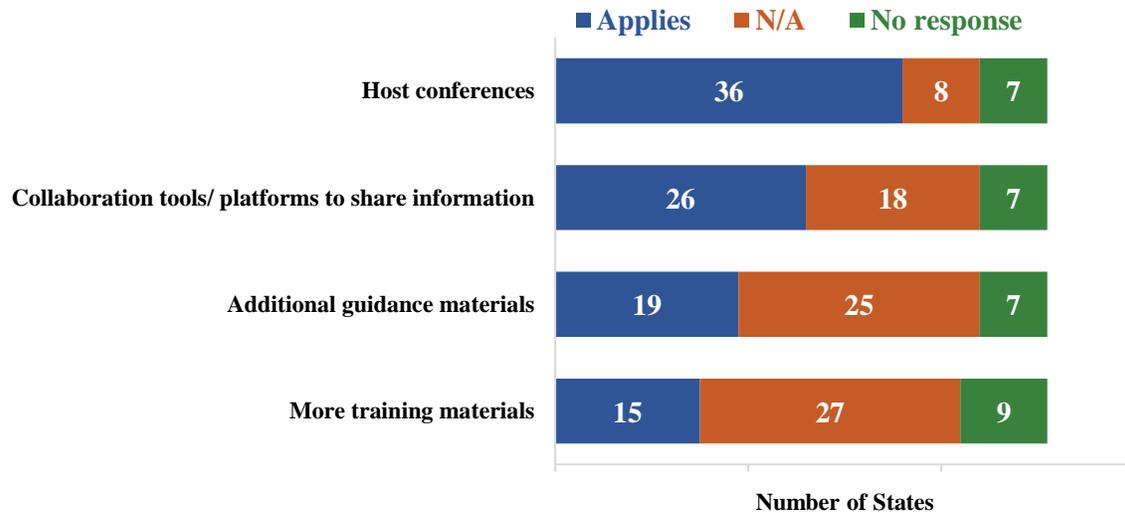
Survey Question(s) #81:

81. How can EPA better assist SERCs and LEPCs with implementing EPCRA? Check all that apply.

- Host conferences for SERCs and LEPCs
- Provide more training materials. What types of training? _____
- Provide additional guidance materials for SERCs or LEPCs. Please describe additional guidance requested: _____
- Provide collaboration tools/platforms for SERCs and LEPCs to share information
- Other: _____

Exhibit 19. provides the responses EPA received for each of the categories listed.

Exhibit 19. Types of Assistance Requested from EPA to Implement EPCRA²⁶



The types of training and/or guidance requested by states included:

²⁶ One state did not respond to this question.

- Develop an updated LEPC handbook²⁷, a guidance document for SERCs to ensure that they are doing everything as required by law.
- Participate in SERC meetings and provide an overview of the EPCRA statute, including, SERC & LEPC responsibilities.
- Provide training on roles and responsibilities for SERCs and LEPC members and provide training materials²⁸.
- Provide guidance on EPCRA requirements and why EPCRA is important to emergency management. Turnover is high at LEPCs²⁹, continuous training is required to educate folks.
- Provide how hazmat planning fits into all-hazards planning for the whole community.
- Provide guidance on how LEPCs should develop plan under EPCRA section 303 without duplicating planning efforts already in place in their communities.
- Revisit and restore many of the historic guidance documents.
- Provide best practices from states that have robust EPCRA program.
- Clarify grey areas within the law and close loopholes.
- Develop more guidance on exemptions³⁰, which is always confusing. Examples: fertilizers, underground fuel tanks.
- Share sample By-Laws developed by from SERCs or LEPCs.
- Provide best ways to keep your LEPC active.
- Host Regional SERC communication call and continue those that already occur.
- Provide positive incentives for facilities to participate instead of just sanctioning them for not complying.
- Continue to upgrade Tier2 Submit and develop a web based Tier2 Submit application with needed coding that states can utilize.
- Coach state staff and encourage use of EPA resources.
- Develop How To Comply Template/Pamphlet.
- Develop training to include how a successful SERC should perform and how to assist locals with developing ERPs.

²⁷ EPA developed a National LEPC-TEPC Handbook since we issued the survey.

<https://www.epa.gov/epcra/national-lepc-tepc-handbook>

²⁸ EPA developed a comprehensive on-line training for state, tribal, and local implementing agencies on EPCRA reporting requirements for facilities and responsibilities for implementing agencies.

<https://www.epa.gov/epcra/epcra-non-section-313-online-training-states-tribes-lepcs-local-planners-and-responders>

²⁹ EPCRA developed an introductory video which would benefit new LEPC or SERC members on why EPCRA is important. <https://www.epa.gov/epcra/protecting-communities-chemical-accidents-emergency-planning-and-community-right-know-act>

³⁰ Frequently asked questions, scenarios, including EPCRA exemptions are posted on EPA's website.

<https://www.epa.gov/epcra/emergency-planning-and-community-right-know-act-frequent-questions>

- Provide funding for the Planning of Chemical / Hazardous Materials Exercises and a dedicated Practitioner to Plan, Lead and Evaluate the Exercises.

5. Environmental Justice Screening

An environmental justice screening was conducted for the LEPCs that noted they are inactive or unknown based on responses provided to survey question #23 (see Appendix B

LEPC Maps for the map of active, inactive, and unknown³¹ LEPCs). Census block group statistics from EPA's Environmental Justice Screening and Mapping Tool (EJScreen) were aggregated to the county level and matched to the LEPCs. Statistics on the percent persons of color and percent low-income in each inactive and unknown LEPC were calculated from these data.

Limitations

The results of this survey and EJ screening do not show which communities are disproportionately impacted by increased risks to hazardous chemicals. To conduct that kind of analysis, the EPA would need the chemical inventory data which facilities submit to their LEPCs and SERCs. However, the presence of an active versus inactive LEPC could be an indicator that the community is not receiving information on the risks of chemical hazards. We do not know if these communities are not being prepared for a chemical release as such preparation may be required by other agencies. We also do not know the degree to which such preparation is being communicated to the community.

Methodology

- Data Source: <https://gaftp.epa.gov/EJSCREEN/2022/>
 - Technical documentation: https://www.epa.gov/sites/default/files/2021-04/documents/ejscreen_technical_document.pdf
- Dataset downloaded: EJSCREEN_2022_Full_with_AS_CNMI_GU_VI.csv
 - This dataset contains block group level statistics which we aggregated into county level statistics
 - Data calculated based on 2013-2017 5-year summary file, American Community Survey (ACS)
- Data fields used for analysis:
 - Column E: CNTY_NAME (County Name)
 - Column G: ACSTOTPOP (Total Population)
 - Column N: MINORPOP (People of Color)
 - People of color is defined as the number or percent of individuals in a block group who list their racial status as a race other than white alone and/or list their ethnicity as Hispanic or Latino. That is, all people other than non-Hispanic white-alone individuals.
 - Column P: LOWINCOME (Low Income)

³¹ States were asked to mark any LEPCs on the list EPA provided as "unknown" if the states are unaware of the LEPC existence or if the states could not reach the LEPC.

- Low-income is defined as the number of percent of a block group’s population in households where the household income is less than or equal to twice the federal ‘poverty level.’
 - Derived from this table:
 - https://factfinder.census.gov/bkmk/table/1.0/en/ACS/17_5YR/C17002/0100000US
- Statistics computed (county-level):
 - Percent minority: Column N / Column G
 - Percent low-income: Column P / Column G
 - Percent difference minority: represents the difference between the percent minority for the county and the percent minority for the entire country
 - **Formula:** |county minority pct – national minority pct| / [.5 * (county minority pct + national minority pct)]
 - Percent difference low-income: represents the difference between the percent low-income for the county and the percent low-income for the entire country
 - **Formula:** |county low-income pct – national low-income pct| / [.5 * (county low-income pct + national low-income pct)]

Assumptions

Massachusetts, New Jersey, and New Hampshire organize LEPCs on a town level rather than a county level. As this was a county-level analysis, if any of those town LEPCs within the county they reside were classified as inactive or unknown, then the county-level analysis was performed. There were not any situations where a given county has a mix of towns that were both inactive and unknown. Thus, additional considerations did not have to be made to determine if the county should be classified as inactive or unknown.

Results

Overall Statistics

The statistics for percent persons of color and low-income in inactive and unknown LEPCs is shown in Exhibit 20 in comparison to the national statistics for percent persons of color and low-income in the United States.

Exhibit 20. Environmental Justice Statistics

Metric	National Statistics	Inactive and Unknown LEPCs Combined
Persons of Color	40.49%	41.37%
Low-income	29.48%	29.66%

*Detailed Inactive/Unknown LEPC Statistics*³²

Inactive LEPC Status Statistics

- 86 out of 635 (13.5%) LEPCs classified as inactive are in the 80th percentile or above nationally for minority population (by percentage of total county population)
- 106 out of 635 (16.7%) LEPCs classified as inactive are in the 80th percentile or above nationally for low-income population (by percentage of total county population)
- 69 out of 635 (10.9%) of LEPCs classified as inactive are in the 80th percentile or above nationally for both minority population and low-income population (by percentage of total county population)

Unknown LEPC Status Statistics

- 74 out of 601 (12.3%) LEPCs classified as unknown are in the 80th percentile or above nationally for minority population (by percentage of total county population)
- 46 out of 601 (7.7%) LEPCs classified as unknown are in the 80th percentile or above nationally for low-income population (by percentage of total county population)
- 33 out of 601 (5.5%) of LEPCs classified as unknown are in the 80th percentile or above nationally for both minority population and low-income population (by percentage of total county population).

³² There are 2,554 Active LEPCs and 1,236 Inactive and Unknown LEPCs; 635 LEPCs are listed as inactive while the status of 601 LEPCs are unknown. As noted above in the *Assumptions* section, the EJ analysis was conducted at the county level. However, some LEPCs are comprised of township or regional boundaries rather than county boundaries. For example, LEPC township boundaries were consolidated to a county level and regional LEPC boundaries were broken out into their constituent counties. As such, the total number of inactive or unknown LEPCs is higher than the total number of counties used in the analysis.

6. Conclusions

The survey responses indicate that many states have challenges meeting responsibilities under EPCRA, mainly due to lack of funding and staffing resources at LEPCs. In addition, other priorities, including the COVID-19 pandemic, natural disasters, etc. contribute to the challenges LEPCs face to meet EPCRA requirements. This includes updating emergency response plans and conducting exercises to prepare for potential chemical emergencies.

SERC Priorities and Challenges for Implementing those Priorities

The top priorities for SERCs are shown in Exhibit 21 below.

Exhibit 21. SERC’s Priorities for Implementing EPCRA³³

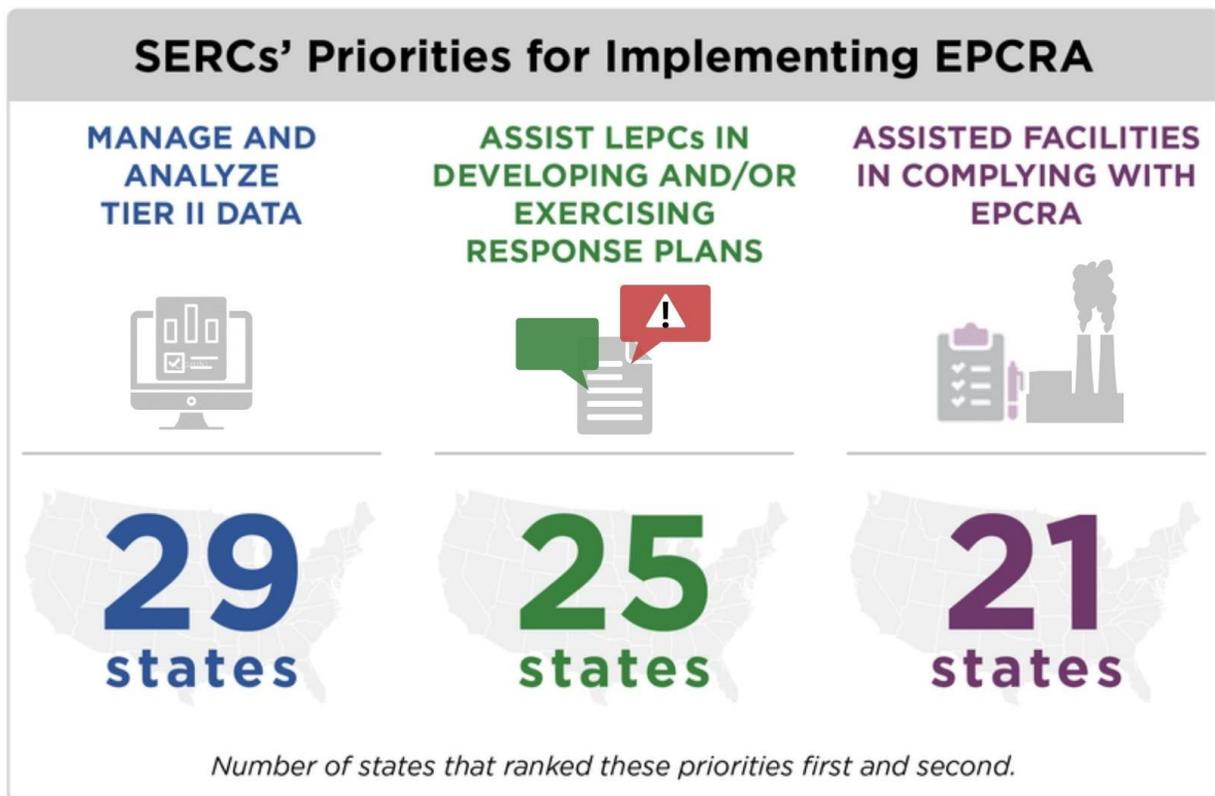
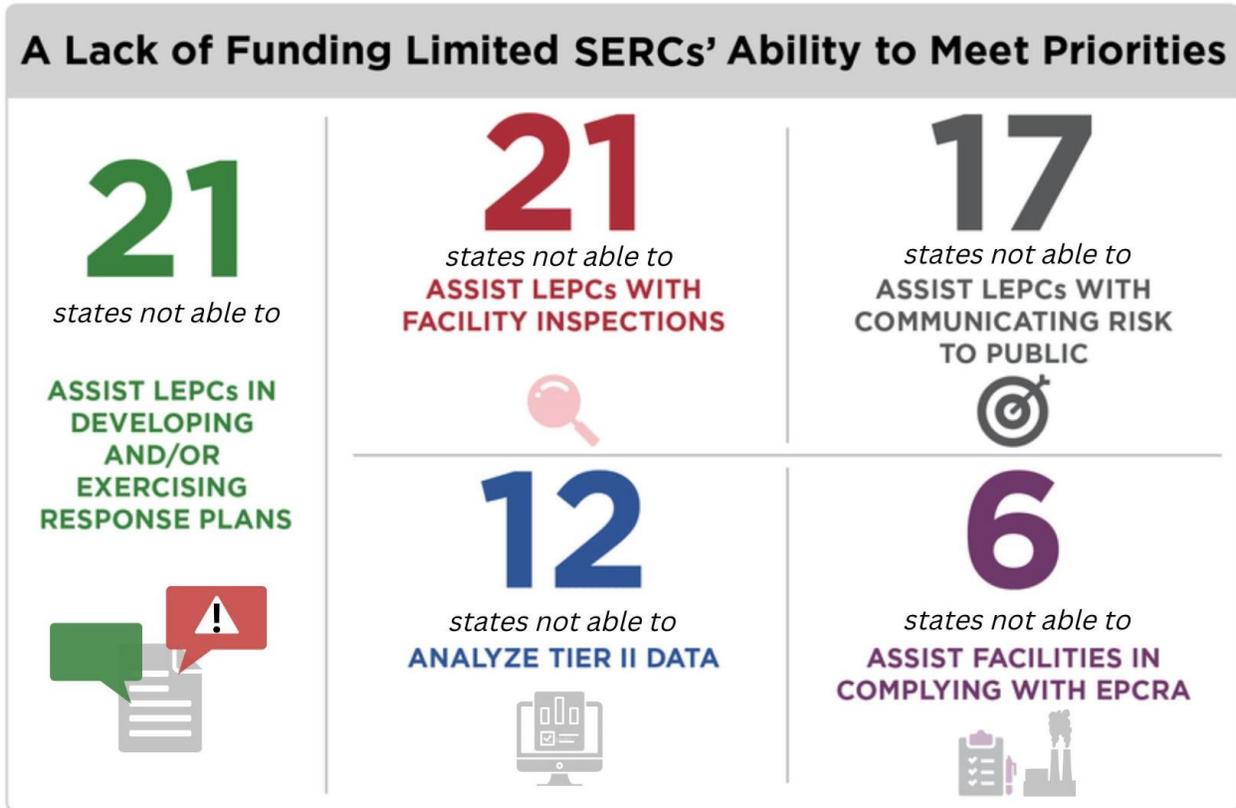


Exhibit 22 below shows priorities not met due to lack of funding. Lack of funding or other resources equates to not being able to support LEPCs, the key stakeholders in developing emergency response plans to protect the community from chemical accidents. As illustrated in Exhibit 4 in section 1.1.4 of this report, approximately 23 states reported that they do not have an operating budget to carry out responsibilities under EPCRA.

³³ See Exhibit 6 to view full data chart.

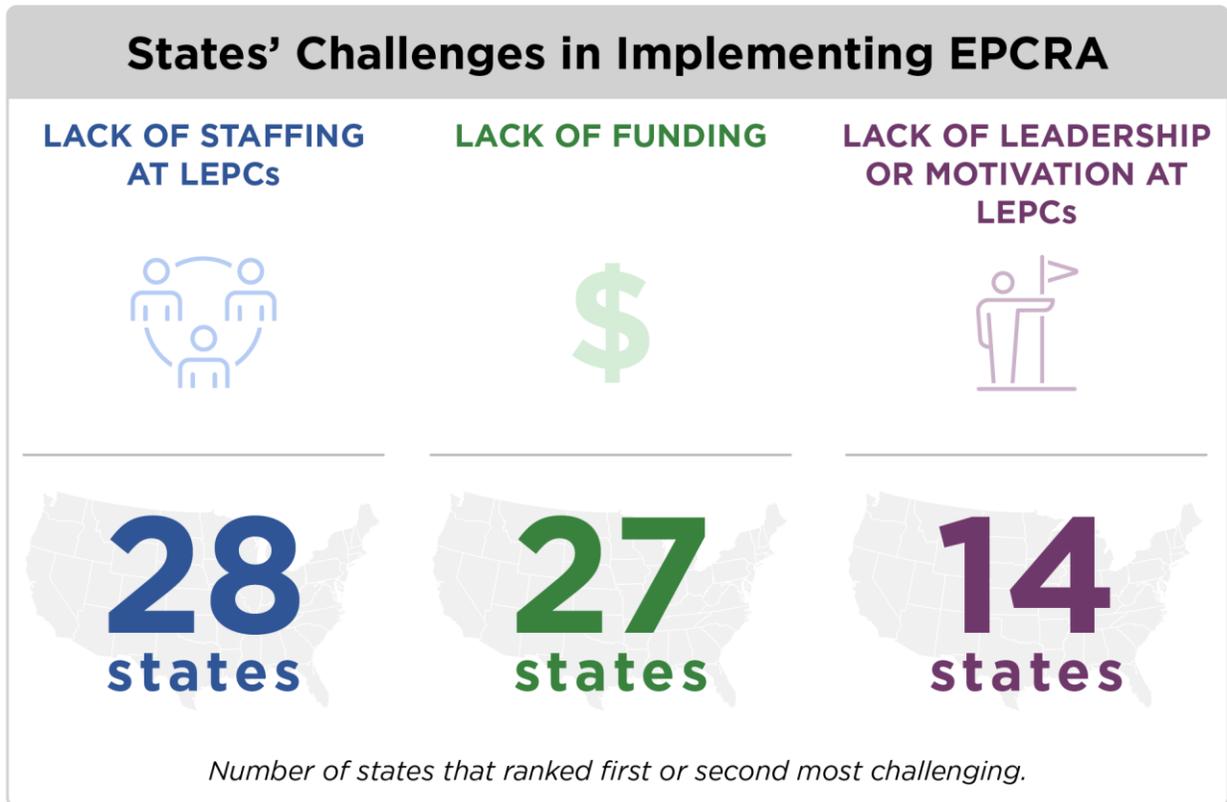
Exhibit 22. Lack of Funding³⁴



The survey also asked the states to report challenges they face in implementing the EPCRA program. Exhibit 23 shows lack of funding and lack of staffing at LEPCs as the two top ranked items that states struggle with in implementing EPCRA.

³⁴ See Exhibit 8 for the full data chart.

Exhibit 23. States' Challenges in Implementing EPCRA³⁵



What We Learned

Most states are operating with little or no budget. States commented that EPCRA is an unfunded mandate with many responsibilities so most are facing challenges in implementing the program, specifically, supporting LEPCs to develop a chemical emergency response plan and conduct exercises to ensure the plan can be activated during a chemical emergency. In addition, due to lack of funding, many states are not able to analyze the Tier II reports received annually to assist or train LEPCs and first responders in planning for potential accidents involving hazardous chemicals in their community.

While some states receive DOT HMEP grants, there are restrictions on how the funding should be used, which is mainly limited to transportation planning and emergency preparedness. While HMEP grants are used for planning and exercising for transportation related incidents, there are no federal funding sources available to plan for potential chemical accidents at fixed facilities. Furthermore, a few states commented that while EPCRA is an important statute, SERCs and LEPCs have limited resources (or staffing) so they are moving towards a focus on all-hazard preparedness or similar programs that benefit the entire community. These states requested

³⁵ See Exhibit 17 for the full data chart.

support from EPA to prepare for chemical disasters as well as other hazards faced by the communities.

States also expressed additional concerns with the recent amendments to EPCRA under AWIA, which placed additional responsibilities on SERCs and LEPCs without providing resources to meet these additional requirements. Several states requested funding to meet these additional requirements to ensure timely notifications are given to the State Drinking Water Primacy Agency or the Community Water Systems to ensure communities are protected from receiving contaminated drinking water from chemical releases.

In addition to managing reports received under EPCRA, SERCs and LEPCs are also required to provide access to these reports to the public. With limited resources states and local agencies also have to respond to requests from the public, including from consultants auditing covered facilities, which imposes additional burden on these implementing agencies. The survey responses indicated that states and local implementing agencies are facing many challenges in meeting the requirements of the 1986 EPCRA legislation and its recent amendments under AWIA to keep communities safe from potential chemical hazards. The other primary challenge noted was lack of staffing at some LEPCs, particularly those in rural regions where first responders and emergency management officials have many responsibilities. Potential chemical hazards also exist in these areas, therefore more focus must be placed on these communities.

Recommendations and Next Steps

As requested by many states, this report includes best practices in implementing EPCRA and its amendments under AWIA. States that are facing challenges are encouraged to review the report and follow other states' practices, including how they assist LEPCs in meeting their responsibilities under EPCRA, provide funding, training, etc. Several states reported that they combined their LEPCs to form regional LEPCs to better manage them and to offer better assistance. States with large number of LEPCs is encouraged to model after the states that reduced their number of LEPCs. Several states reported that their LEPCs are now encouraged to develop all-hazards plan which EPA support, however, we strongly recommend that chemical emergency response plan should be part of that plan as potential chemical risks exist in almost every community. The Agency may conduct another survey in a few years.

Resources

Several states requested EPA to develop guidance documents, interpretation of statutory exemptions, training, etc. to assist SERCs and LEPCs better understand the requirements and their implementation responsibilities under the statute. The following resources are currently available on EPA’s website. <https://www.epa.gov/epcra>.



[CONTACT US](#)

Emergency Planning and Community Right-to-Know Act (EPCRA)

The [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) of 1986 was created to help communities plan for chemical emergencies. It also requires industry to report on the storage, use and releases of hazardous substances to federal, state, and local governments. EPCRA requires state and local governments, and Indian tribes to use this information to prepare for and protect their communities from potential risks.

Learn About EPCRA



Tier I and II Reporting Forms and Instructions



EMERGENCIES

Report oil or chemical spills at:
800-424-8802

[Learn more >](#)

[Add this widget to your website.](#)

EPCRA Video

<https://www.epa.gov/epcra/protecting-communities-chemical-accidents-emergency-planning-and-community-right-know-act>



This training video aims to raise awareness of the [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) to new generations of planners and responders, state, tribal, and local political officials, emergency management leadership and the public. It presents a basic level of understanding of the roles and requirements of EPCRA to maintain effective participation to protect communities from chemical accidents.

EPCRA Factsheet & Quick Guide

These documents provide an overview of the Emergency Planning and Community Right-to-Know Act (EPCRA) and its reporting requirements.

EPCRA Factsheet

https://www.epa.gov/sites/default/files/2020-10/documents/epcra_quick_reference_fact_sheet.pdf



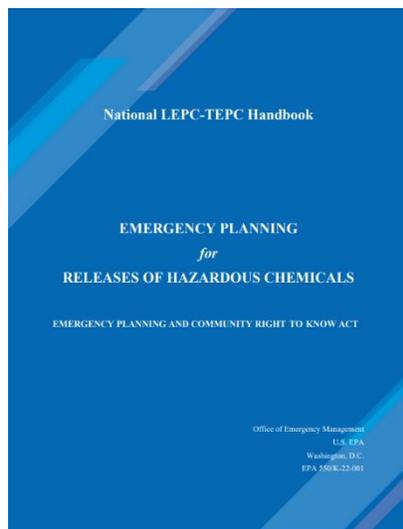
EPCRA Quick Guide

https://www.epa.gov/sites/default/files/2020-10/documents/guide_to_epcra.pdf



National LEPC-TEPC Handbook

<https://www.epa.gov/epcra/national-lepc-tepc-handbook>



EPA developed this national handbook as a resource for [local and tribal emergency planning committees](#) (LEPCs and TEPCs) to strengthen community preparedness for accidental chemical releases. It compiles and expands upon existing guidance materials for the [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#) and its amendments under the [America's Water Infrastructure Act \(AWIA\)](#) of 2018.

This resource will be particularly helpful for new members of tribal and local organizations responsible for implementing EPCRA and for communities that may deal with chemical accidents.

Comprehensive EPCRA On-line Training

<https://www.epa.gov/epcra/epcra-non-section-313-online-training-states-tribes-lepcs-local-planners-and-responders>

This training describes the requirements of the Emergency Planning and Community Right-to-Know Act (EPCRA). It provides the implementing regulations and guidance for agencies to fulfill the responsibilities prescribed in the law and prepares them to provide compliance assistance to facilities.

Participants will learn:

- The history of EPCRA;
- The requirements for state, tribal, and local agencies to prepare and protect the community from chemical emergencies;
- The requirements for industry to report the storage and releases of certain chemicals; and
- The release reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as they relate to the EPCRA emergency release reporting requirements.

EPCRA: Welcome, History, and Overview 

Lesson 0: Introduction

Course Introduction and Overview

Welcome to the Emergency Planning and Community Right-to-Know Act (EPCRA) Online Training.

This online training is designed for state, tribal, and local agencies to be familiar with the requirements of EPCRA, its implementing regulations and guidance to fulfill these agencies' responsibilities prescribed in the law, and better prepare them to provide compliance assistance to facilities. During this course, participants will learn the history of EPCRA; the requirements for state, tribal, and local agencies to prepare and protect the community from chemical emergencies; and its requirements for industry to report the storage and releases of certain chemicals.

Participants will also learn release reporting requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as they relate to the EPCRA emergency release reporting requirements. This training does not cover EPCRA Section 313 toxic chemical release inventory reporting provisions, which are managed by the Environmental Protection Agency's (EPA) Office of Environmental Information (OEI).

This course will also provide guidance and reference materials to help state, tribal, and local agencies to implement provisions of EPCRA.

Select **Next** to continue.



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Frequently Asked Questions

<https://www.epa.gov/epcra/emergency-planning-and-community-right-know-act-frequent-questions>

This page has the top questions you may have about these topics.

- Emergency Planning (EPCRA 301-303)
- MSDS / Tier II Reporting (EPCRA 311/312)
- Release Notification (EPCRA 304/CERCLA 103)
- Other EPCRA
- Tier2 Submit & CAMEO

EPCRA Regional Contacts



EPCRA Regional Contacts

<https://www.epa.gov/epcra/epcra-regional-contacts>

Appendices

Appendix A

Survey Questions

The following questions were emailed to the SERCs in all states and territories upon approval from the Office of Management Budget (OMB) for the collection of the survey.

2021 SERC Survey

OMB Control No. 2050-0224

Expiration Date: 10-31-2024

This collection of information is approved by OMB under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. (OMB Control No. 2050-0224). Responses to this collection of information are voluntary. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The public reporting and recordkeeping burden for this collection of information is estimated to 4.0 hours per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates and any suggested methods for minimizing respondent burden to the Regulatory Support Division Director, U.S. Environmental Protection Agency (2821T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

Privacy Act Statement

None of the information collected under this ICR is expected to be considered Personally Identifiable Information (PII) or Confidential Business Information (CBI).

Purpose

The U.S. Environmental Protection Agency (“EPA” or “Agency”) is conducting this survey of the State Emergency Response Commissions (SERCs) in each State and territory of the United States. The purpose of this survey is to gather information on the implementation of the Emergency Planning and Community Right-to-Know Act (EPCRA), including best practices, challenges and gaps. After the survey is completed, EPA will publish the results and determine options on how to assist SERC organizations to meet their EPCRA responsibilities.

Survey Background

EPCRA established SERCs and Local Emergency Planning Committees (LEPCs) and assigned implementation responsibilities to these state and local organizations. SERCs have primary responsibility to ensure that each emergency planning district has a comprehensive emergency response plan to protect the community and mitigate the devastating effects of chemical accidents similar to those in West Texas³⁶ and Bhopal, India.³⁷

Tribal Emergency Response Commissions (TERCs) have the same responsibilities as SERCs, and Tribal Emergency Planning Committees (TEPCs) have the same responsibilities as LEPCs. If a Tribe does not have the resources to implement EPCRA, it may sign a Memorandum of Understanding (MOU) with their state to implement EPCRA in the tribal region. This survey includes questions to identify how tribes meet EPCRA responsibilities including whether:

- tribes that have an agreement with their SERC to implement the program;
- TERCs have joined any LEPCs; and

³⁶ An ammonium nitrate explosion killed 15 first responders at the West Fertilizer Company, West Texas, April 2013.

³⁷ EPCRA was enacted on October 17, 1986 in response to concerns raised by the major industrial accident that occurred in 1984 in Bhopal, India, which killed more than 3,000 people and left thousands more disabled.

- any TERCs are members of their SERC organization.

In October 2018, the release notification and hazardous chemical reporting provisions of EPCRA were amended under America’s Water Infrastructure Act (AWIA; PL 115-270). These amendments assigned additional requirements to SERCs: (1) provide prompt notification of any reportable release under EPCRA Section 304 to the State Drinking Water primacy agency or the community water systems whose source water is affected, and (2) provide access to Tier II information (i.e., hazardous chemical inventory data) to the community water systems upon request.

Questions in this survey are intended to gather information on SERC’s current practices related to implementing EPCRA as well as the amendments enacted by AWIA. EPA is eager to learn best practices from states with successful EPCRA programs that we can share with states currently facing challenges in implementing the program. This survey will also identify the challenges experienced by other states. EPA will use this information to better assist states to implement their EPCRA programs.

Survey questions are organized by major EPCRA provisions. Requirements under each provision are identified in each section, with questions related to the following:

- SERC Organization
- EPCRA Section 302 (Emergency Planning Notification)
- Establishment of Local Emergency Planning Committees (EPCRA Section 301) and EPCRA Section 303 (Emergency Response Plans)
- EPCRA Section 304 (Emergency Release Notification)
- EPCRA Section 312 (Emergency and Hazardous Chemical Inventory Form, “Tier II” reporting)
- EPCRA Section 313 (Toxics Release Inventory Reporting)
- Public Access to information under EPCRA
- Software Tools for SERCs, LEPCs, and Emergency Responders
- Other EPA resources for SERCs, LEPCs, and Emergency Responders
- Challenges and Successes

I. Questions related to SERC Organization

In this initial section, the questions focus on how the SERC in your state is organized.

EPCRA Section 301 requires the establishment of SERCs, local emergency planning districts and LEPCs. Additionally, EPCRA Section 301 specifies certain responsibilities for SERCs, including:

- supervising and coordinating the activities of the LEPCs,
- establishing procedures for receiving and processing requests from the public for information available under EPCRA, and

- By State Law
- By Governor's Executive Order
- By Governor's memo/letter
- Other: _____

4. Does your SERC have by-laws that establish how it should implement EPCRA?

- Yes
- No

5. If your SERC has by-laws, what do they include? Check all that apply. If possible, please attach a copy of your by-laws with this survey.

- Delegation of responsibility and authority to all SERC members,
- Identification of who should manage information received from facilities (e.g. Tier II reports; release notification and follow-up written reports, etc.),
- Description of how to assist LEPCs with their responsibilities under EPCRA,
- Other, please provide a brief description.

6. On average, how many meetings does your SERC hold annually?

Number of meetings: _____

7. How do you communicate with your LEPCs? Check all that apply.

- Personalized emails
- Group emails
- Phone calls
- In-person meetings. Please specify frequency: _____
- Conferences. Please specify frequency and the date of your most recent conference:

- Other, please specify: _____

8. If there are any Tribes in your state, have any established Tribal Emergency Response Commissions (TERCs) that implement EPCRA?

- Yes (how many?): _____
- There are no tribes in my state
- There are tribes in my state, but none have established TERCs
- Don't know

9. Are there any Memoranda of Understanding between the Tribe(s) and the State requesting that the State implement EPCRA for the Tribe(s)? If the answer is “Yes”, please attach a copy of the MOU(s).

- Yes
- No

10. Are any Tribal Representatives part of any LEPC in your State?

- Yes
- No
- Don't know

11. What sources of funding are available to your SERC organization to implement the EPCRA program? Check all that apply.

- State appropriated funds
- Federal grants. If yes, please list types: _____
- Tier II filing fees
- Other (please specify): _____

12. What is your SERC annual operating budget? Please select a range and/or provide an exact amount.

- \$0 - \$50K
- \$51K - \$100K
- \$101K - \$250K
- \$250K - \$500K
- \$500K - \$1M
- Over \$1M
- Don't know

If you would like to include any details about your budget, please add here:

13. How many full-time equivalents (FTEs) are associated with the SERC (please take into account FTEs from all entities that are part of the SERC organization, listed in question #1)?

- Less than or equal to 1.0 FTE

- Greater than 1.0 FTE, but less than or equal to 2.0 FTE
- Greater than 2.0 FTE, but less than or equal to 5.0 FTE
- Greater than 5.0 FTE, but less than or equal to 10.0 FTE
- Greater than 10.0 FTE

If you would like to include any details about your FTEs, please add here:

14. What are your SERC's priorities? Please rank in order of most important as '1', and if not a priority, please mark as 'N/A'.

- ___ Assist LEPCs in developing and/or exercising response plans
- ___ Manage and analyze tier II data
- ___ Assist LEPCs with facility inspections
- ___ Assist LEPCs with communicating risk to public
- ___ Assist facilities in complying with EPCRA
- ___ Other (please specify): _____

15. Does your SERC have priorities that it is not addressing due to lack of funding? If so, please check all activities that apply.

- Assist LEPCs in developing and/or exercising response plans
- Analyze tier II data
- Assist LEPCs with facility inspections
- Assist LEPCs with communicating risk to public
- Other (please specify): _____

II. Questions related to EPCRA Section 302 (Emergency Planning Notification)

In this section, the questions focus on emergency planning notifications under EPCRA.

As required by EPCRA Section 302, EPA published the list of extremely hazardous substances (EHSs) and a threshold planning quantity (TPQ) for each substance as well as emergency planning notification regulations. (The list of EHSs, their TPQs and the regulations are codified at 40 CFR part 355.) Facilities that have any EHS present on-site at or above its TPQ are required to provide notification to the SERC and the LEPC within 60 days of acquiring the substance.

EPCRA Section 302 also authorizes SERCs and governors to designate additional facilities subject to emergency planning notification requirements after public notice and opportunity for comment. Accordingly, substances that are not EHSs may become subject to the emergency planning requirements at specific facilities (40 CFR 355.10 & 355.11).

16. Does your state have more stringent emergency planning notification requirements than the Federal EPCRA program?

- No, our State follows the Federal EPCRA Section 302 program
- Yes, our State has more stringent emergency planning notification requirements

If the answer to Q#16 is “No, our State follows Federal EPCRA Section 302 program” go to Q#19

17. How is your emergency planning notification program different from the federal program under EPCRA Section 302? Check all that apply.

- The State program covers additional chemicals (please send list of additional chemicals or link to the program’s list of chemicals)
- The State program has lower thresholds (please send list of thresholds or link to the program’s list of chemical thresholds)
- Other, please specify: _____

18. How many facilities in your state reported having EHSs on-site that are regulated only under your State program (i.e., not regulated under Federal EPCRA requirements)?

Please provide a number of facilities: _____

19. How many facilities in your state reported having EHSs on-site for both the State (if applicable) and Federal programs? (Note: As of reporting year 2014, facilities were required to indicate whether they are subject to EPCRA Section 302 on their Tier II form.)

Please provide a number of facilities: _____

20. Did your State designate additional facilities subject to emergency planning notification requirements?

- Yes
- No

If the answer to Q#20 is “No” go to Q#22.

21. If so, what type of facilities? Please specify the industry sector, and if possible, also provide NAICS codes (North American Industry Classification System - <https://www.census.gov/eos/www/naics/>).

22. Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for failing to provide emergency planning notification under EPCRA Section 302?

- Yes. Please provide number of enforcement actions in CYs 2019 and 2020: _____

- Yes, but the most recent enforcement action was prior to CY2019.
- No

III. Questions related to Establishment of Local Emergency Planning Committees (EPCRA Section 301) and EPCRA Section 303 (Emergency Response Plans)

In this section of the survey, the questions relate to LEPCs in your state and the local emergency response plans.

EPCRA Section 301 requires, at a minimum, that each LEPC shall include representatives from each of the following groups or organizations: elected State and local officials, law enforcement, civil defense, fire department, first aid, health, local environmental, hospital, and transportation personnel; broadcast and print media; community groups; and owners and operators of facilities subject to the requirements of the emergency planning notification requirement. While not every facility in a planning district may be subject to the emergency planning notification requirement (i.e. facilities that handle EHSs at or above their TPQs), facilities that handle other chemicals may also pose a threat to the community and first responders, as was the case in the West Texas Fertilizer incident (see CSB Report: <https://www.csb.gov/west-fertilizer-explosion-and-fire-/>). To prevent such incidents, SERCs are encouraged to help LEPCs reach out to facility owners and operators to encourage them to become part of the LEPC organization. SERCs and LEPCs may request facility owners and operators to assist in developing emergency response plans. EPA understands that some state right-to-know programs require facilities to prepare an emergency plan and share it with their LEPC.

EPCRA Section 303(a) requires each LEPC to develop an emergency response plan for its local emergency planning district and submit that plan to the SERC for review. LEPCs are required to review the plan at least annually or more frequently as changes occur in their community and update the plan if necessary.

Section 303(e) requires the SERC to review those plans and make recommendations to the LEPC regarding revisions that may be necessary to ensure coordination of the plan with the emergency response plans of other local emergency planning districts.

Section 303(d) allows LEPCs and TEPCs to request the owner or operator of facilities subject to emergency planning notification to provide any information for developing and implementing the emergency plan. Facilities are required to provide such information promptly upon request. LEPCs and TEPCs may specify a time frame for this information (see regulations at 40 CFR 355.20).

Section 303(d) also requires facilities to provide a name of a representative to be the facility emergency coordinator as well as provide any changes relevant to emergency planning to their LEPC and TEPC. Any changes relevant to emergency planning should be provided within 30 days after changes have occurred. (see table in 40 CFR 355.20)

For questions 23 - 29, please review each row of the spreadsheet provided by EPA of LEPCs in your state.

Please add any LEPCs that have been formed but are not included on this list. If any LEPCs have merged to a larger geographic or administrative area (i.e. multiple counties folding to one regional LEPC), please add this as a new LEPC. Please keep inactive LEPCs and note them as “inactive” in Column F. Please fill in the columns for each of the following questions.

23. (A) Of the list provided, please note in Column F those LEPCs that are **active** in your State (Yes/No/Unknown) (for this survey, **active** is defined as conducting at least one or more of the following activities in the past year: have an emergency response plan and review/update annually; meet on a regular basis; conduct exercises to ensure that their plan can be activated during chemical emergencies; accompany fire department personnel for conducting inspections of Tier II facilities; participate in local preparedness planning; conduct public education, providing information on local hazards and facilities to community members and first responders; provide Tier II information on request).
- (B) If 23 (A) is unknown, please provide an explanation (Column G).
24. (A) In Column H of the list provided, please clarify the administrative or geographic jurisdictional boundary for each LEPC, both active and inactive, using the most specific boundary. For each LEPC, please choose among the following administrative boundaries.
- County
 - City
 - Township
 - Parish
 - Municipality
 - Region
 - Multiple counties (please specify):
 - Districts
 - Other
- (B) If “other” is indicated in Q24 (A), please specify and list where geographic data for this LEPC jurisdictional area can be obtained in Column I.
25. (A) In Column J, please note which LEPCs in your state have emergency response plans in place for their planning districts/communities. (Emergency response plans can be free-standing plans or part of an all-hazards plan).
- (B) Please list the type of emergency response plan for each LEPC: (1) a free-standing plan; (2) part of an all-hazards plan; (3) Other in Column K.
- (C) If “other” or unknown, please provide an explanation in Column L.
26. (A) In Column M, please note which LEPCs in your state that have reviewed and/or updated their emergency response plans within the past 12 months.
- (B) If unknown in Q26(A), please provide an explanation in Column N.
27. (A) In Column O, please note which emergency response plans, reviewed and/or updated by the LEPC in the past 12 months (Column M), have been reviewed by you, the SERC?
- (B) For those plans not reviewed by the SERC, please provide an explanation in Column P.

28. For those LEPCs that do not have up-to-date emergency response plans, what do you believe are the main contributing factor(s)? Please rank in order of most prevalent factor (1) to least prevalent (5). If factors are not applicable, use 'N/A'.

- Lack of leadership (i.e. lack of support from local officials)
- Lack of motivation (i.e. other higher priorities, small number of facilities, low level of risk)
- Staffing/participation shortfall
- Lack of understanding of the requirement under the statute to review the plans annually
- Lack of funding
- Other: _____
- Don't know

29. (A) On the spreadsheet provided, please note which LEPCs in your State have conducted exercises in the past 12 months to ensure that their emergency plan can be activated during an emergency in Column Q.

(B) For each LEPC that has conducted exercises, please list the type of exercise: (1) full-scale; (2) table-top; (3) actual response; (4) notification exercise; (5) Other. Please specify in Column R. Note more than one type of exercise can be identified for each LEPC, separated using a semicolon (;).

30. What type of resources do you offer LEPCs? Please check all that apply and include details.

- Funding, please specify the average annual amount: _____
- Technical assistance [ex: manage facility and chemical information in Computer Aided Management of Emergency Operations (CAMEO)]
- Community risk communication
- Guidance documents
- Training (provide type and frequency of training(s)): _____
- Response equipment (provide cost estimate for equipment provided annually):

- Outreach to facilities
- Onsite facility inspections
- Other, please specify: _____

31. Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for not providing info under 303(d)?

- Yes. Please provide number of enforcement actions in CYs 2019 and 2020:

- Yes, but the most recent enforcement action was prior to CY2019.

No

32. What resources could EPA provide to assist you and your LEPCs?

IV. Questions related to EPCRA Section 304 (Emergency Release Notification)

In this section, questions are about emergency release notifications.

EPCRA Section 304 requires facilities to notify the SERC as well as the LEPC of any area likely to be affected by a release of any CERCLA Hazardous Substance or EHS. (The reportable quantities (RQs) for CERCLA Hazardous Substances and EHSs are listed in 40 CFR 302.4 and 355 Appendices A and B respectively.) Within 30 days of the initial notification, facilities are also required to submit a written report to the SERC and the LEPC. Transportation-related releases can be conveyed via a notification to a 911 operator or a local operator. Written follow-up reports are not required for transportation-related releases.

The America’s Water Infrastructure Act (AWIA) amended EPCRA Section 304 to require SERCs to notify the State Drinking Water Primacy Agency of any releases and provide them with the information received under EPCRA Section 304(b) and (c). For states without a primacy agency, SERCs are required to notify any community water system whose source waters are affected by a release.

33. If your State has its own right-to-know program, does it require release notification of substances in addition to the CERCLA Hazardous Substances and EPCRA EHSs?

Yes (please provide a list of additional substances or a link to the list in the regulations): _____

No

34. What type of notification system is in place for fixed facilities to notify the SERC/State about releases? Check all that apply.

State Hotline (e.g., State Warning Point)

911

SERC office

Other, please specify: _____

35. In calendar year 2020, how many releases of CERCLA Hazardous Substances and/or EPCRA EHSs were reported to the SERC, State Agency, or designated call center or hotline?

Please provide a number: _____

36. What percent of those releases reported in 2020, did the SERC receive follow-up written reports within 30 days?

Please provide percentage or exact number of facilities: _____

Please provide information on any SERC processes to follow up with facilities which have not submitted written release reports:

37. Do you have a system that tracks facilities that reported releases and submitted written follow up reports?

Yes

No

If the answer to Q#37 is “No” go to Q#39

38. If you have a system, please describe. Check all that apply

Spreadsheet

Custom application (please describe): _____

Other (please describe): _____

39. To ensure compliance with AWIA requirements (which went into effect on October 23, 2018), do you have a system and/or process in place to notify the State Drinking Water Primacy Agency or the community water system about releases?

Yes, please describe the system and/or process: _____

No

40. How does your State ensure that the State Drinking Water Primacy Agency or community water system receives notification of **transportation-related** releases? (Note: *Although section 2018(a) of AWIA does not specify how transportation related releases should be forwarded to the state drinking water primacy agency or community water systems, EPA encourages SERCs to coordinate with 911 operators or any other established system that receives release notification to notify the state drinking water primacy agency (or community water systems) that may be affected by the release.*) Please include any challenges and/or issues with implementing the AWIA amendments.

41. How can EPA assist you in implementing the AWIA requirements?

V. Questions related to EPCRA Section 312 (Emergency and Hazardous Chemical Inventory Form, “Tier II” reporting)

In this section, questions are about managing Emergency and Hazardous Chemical Inventory Forms, or “Tier II data.”

EPCRA Section 312 requires facilities that handle OSHA hazardous chemicals at or above the reporting thresholds specified in the regulations at 40 CFR part 370, to submit a Tier II form to their SERC, LEPC and the fire department. EPCRA Section 312 also allows states to implement a more stringent right-to-know program than the Federal program.

EPA published guidance in a July 13, 2010 Federal Register notice providing flexibility to states regarding various EPCRA Section 312 reporting options, including joint access to Tier II information. To reduce burden, facilities may submit their Tier II information directly to SERCs who then would share the information with LEPCs and fire departments, provided that these entities receive the information by the annual March 1st statutory deadline.

On October 23, 2018, AWIA amended EPCRA Section 312, requiring SERCs and LEPCs to provide Tier II information to community water systems upon request.

42. Does your State have more stringent requirements for hazardous chemical inventory (Tier II) reporting than the Federal EPCRA program?

- No, our State follows the Federal EPCRA Section 312 program
- Yes, our State has more stringent state requirements

If the answer to Q#42 is “No, our State follows the Federal EPCRA Section 312 program”, go to Q#44.

43. How is your Tier II program different from the Federal EPCRA Section 312 program? Check all that apply.

- Our program covers additional chemicals (please provide list of additional chemicals or link to the list of chemicals in the state regulations)
- Our program has lower reporting thresholds (please provide list of thresholds or link to the thresholds in the state regulations)
- Our program requires electronic reporting
- Other, please specify: _____

44. How many facilities in your state submitted a Tier II form in reporting year 2020 (please include all facilities that reported for both state-specific and federal requirements)?

Please provide a number: _____

45. What software does your state currently use for Tier II reporting? Check all that apply.

- TIER II MANAGER™ online reporting system
- ePlan
- State-developed online reporting tool

- Tier2 Submit
- No software
- Other, please specify: _____

If answer to #45 has check for “Tier2 Submit”, then skip to #48.

46. Has your state ever used Tier2 Submit software?

- Yes. Please list the last reporting year *Tier2 Submit* was used: _____
- No

47. What are the main reasons that your state does not use *Tier2 Submit*? Check all that apply.

- Does not meet needs for state-specific requirements
- We have always used other software, and we do not want to switch
- Other software has additional functionality that we use. Please specify the functions missing from *Tier2 Submit*: _____
- Don't know
- Other (please specify): _____

48. Do you accept hard copy of the Tier II form from facilities unable to submit electronically?

- Yes
- No

49. What is the cost for managing Tier II data both in funding and FTE on an annual basis (if you don't know, please include an explanation)?

Please provide annual funding: _____

Please provide number of FTEs: _____

50. Does your state provide one-stop filing for Tier II forms? (i.e., the state collects the Tier II forms from facilities and provides access to the LEPCs and the fire departments, rather than facilities submitting Tier II forms to all three entities (SERC, LEPCs and the fire departments))

- Yes
- No
- Other, please specify: _____

51. Does your State charge a fee for facilities filing a Tier II form (i.e. Federal Tier II form or the State equivalent)?

- Yes. Please provide the fee charged and/or fee structure: _____

No

52. Briefly explain your process for providing access to Tier II information to the community water systems as required by AWIA amendments.

53. Do any Tribes in your State collect Tier II information?

Yes

No

If answer to Q53 is 'No', skip to Q55

54. Does the Tribe share Tier II data with the State?

Yes

No

55. What type of outreach do you conduct to inform facilities of their annual reporting obligation under EPCRA Section 312? Check all that apply.

Webinars

Mass emails

Phone calls

Conferences

Trade Associations

Direct mailings

Other, please specify: _____

None

56. Do you have any processes in place to identify and contact **facilities that have not previously reported** a hazardous chemical inventory (Tier II), but may be subject to those requirements (e.g., entities that are not aware of their reporting responsibilities)? If yes, please provide details.

Yes. Please describe the process and provide the number of facilities identified in CY2020: _____

No

57. Does your State have a process for identifying and contacting potential Tier II non-filers **that previously complied with reporting requirements**?

Yes. Please describe the process and provide the number of facilities identified in CY2020: _____

No

58. Does your State have an EPCRA enforcement program that addresses non-filers, or do you refer non-filers to the EPA?

Has own enforcement program

Refer non-filers to EPA

59. Have you (the SERC) or your State taken any enforcement actions under EPCRA 326(a)(2) against any facilities for not submitting Tier II forms?

Yes. Please provide number of enforcement actions in CYs 2019 and 2020:

Yes, but the most recent enforcement action was prior to CY2019.

No

60. What are your challenges and/or issues with managing the Tier 2 program? And how can EPA assist in addressing those issues?

VI. Questions related to EPCRA Section 313 (Toxics Release Inventory Reporting)

The following questions are about Toxics Release Inventory Reporting.

Under section 313 of EPCRA and section 6607 of the Pollution Prevention Act (PPA), certain facilities are required to file annual reports to EPA, states, and Indian Country officials on their releases, transfers, and other waste management practices for certain toxic chemicals if they are manufactured, processed, or otherwise used above certain threshold amounts. This information is included in a publicly available database known as the Toxics Release Inventory (TRI).

61. How do you use the TRI data? Check all that apply.

Identify potential Tier II non-filers

Assist LEPCs to identify additional facilities subject to emergency planning requirements

Identify releases not reported to SERC and/or LEPC

Other. Please specify: _____

Do not use TRI data

If answer to Q61 is “Do not use TRI data”, then go to Q63

62. What are the most common ways that you access the TRI data? Check all that apply.

- TRI website
- TRI National Analysis
- Envirofacts
- TRI Explorer
- MyRTK
- Risk Screening Environmental Indicators (RSEI)
- TRI Pollution Prevention (P2) Tool
- Enforcement and Compliance History Online (ECHO)
- Other, please specify: _____

63. In what ways can EPA improve the utility of TRI data?

VII. Questions related to Public Access to information under EPCRA

This section includes questions on public access to information.

Section 301 of EPCRA states that SERCs shall establish procedures for receiving and processing requests from the public for information as required under EPCRA Section 324. These procedures may also include designating an official to serve as an information coordinator. In addition, EPCRA Section 312(e) specifies certain procedures for providing access to Tier II information to the public, other State and local officials.

64. What procedures does your SERC organization follow for processing public requests for information? Check all that apply.

- None
- Reading room access for the public to view EPCRA information
- Provide the data electronically
- Postal mail information
- Other, please specify

65. Is there a fee for processing requests for the public, such as a photocopying charge?

- Yes. Please provide the amount charged: _____
- No

66. How much funding and FTEs are allocated to this task?

Please provide amount of annual funding: _____

Please provide number of FTE: _____

67. How many requests for information from the public did the SERC receive in CY2020?

Please provide a number or estimate: _____

VIII. Questions related to Software Tools for SERCs, LEPCs, and Emergency Responders

68. Do you (as the SERC) or the LEPCs, emergency planners, and emergency responders in your area use software to help collect and manage chemical data and/or prepare for a chemical emergency response?

Yes. Please list the software used and briefly explain how it is used:

No

Don't know

69. With which of the following programs in the CAMEO (Computer Aided Management of Emergency Operations) suite (developed by EPA and NOAA) are your LEPCs and emergency responders familiar? Check all that apply.

ALOHA hazard model

CAMEO Chemicals hazardous chemical database

CAMEO data management tool for chemicals stored or transported in local communities

MARPLOT mapping tool

Not applicable. The CAMEO suite is not well known in my area.

Don't know

If answer to #69 is "Not applicable. The CAMEO suite is not well known in my area." checked, then skip to #75.

70. How many of your LEPCs use any of the programs in the CAMEO suite?

Please provide a number or percentage (or answer 'don't know'): _____

71. What percentage of your fire or emergency response departments use any of the programs in the CAMEO suite?

Please provide an estimated percentage (or answer 'don't know'): _____

72. Of the LEPCs and emergency responders in your area that use the CAMEO suite, do they use the system for emergency planning, response, or both?

Planning

Response

- Both
- Don't know

73. What tasks are those LEPCs and emergency responders using the CAMEO suite programs for? Check all that apply.

- Looking up hazardous chemical datasheets
- Assessing potential chemical reactions
- Modeling and hazard analysis
- Mapping geospatial data
- Managing data about local chemical facilities
- Tracking local chemical transportation routes
- Responding to chemical spills
- Assisting with LEPC pre-planning activities
- Participating in drills and training activities
- Planning for all hazards (beyond just chemical incidents)
- Other, please specify: _____
- Don't know

74. What functions do those LEPCs and emergency responders like about the CAMEO suite?

Please provide functions: _____

75. For the LEPCs and emergency responders in your State that do not use the CAMEO suite programs, what do you think are their main reasons for not using it? Check all that apply.

- They do not use any planning and/or response programs
- They use other planning and/or response applications
- They must use state-provided software
- They are not familiar with the CAMEO suite programs
- The CAMEO suite programs do not meet their needs. Please describe what needs the CAMEO suite does not meet: _____
- Other, please specify: _____
- Not applicable. The CAMEO suite is used extensively in my area.
- Don't know

76. In what ways can EPA/NOAA improve the CAMEO suite programs?

IX. Questions related to other EPA resources for SERCs, LEPCs, and Emergency Responders

77. What EPA resources does your SERC use? Please check all that apply.

- EPCRA (non-313) Online Training for States, Tribes, Local Emergency Planning Committees, Local Planners and Responders
- SERC-TERC Monthly Newsletter
- EPCRA Qs and As
- EPCRA, RMP & Oil Information Center (i.e. “the Call Center”)
- EPA EPCRA Regional Contacts
- AWIA implementation documents
- Other materials on EPA’s EPCRA webpage. Please specify: _____
- Other. Please specify: _____
- None of the above.

If you checked “EPCRA (non-313) Online Training...”,

78. Do you recommend the “EPCRA (non-313) Online Training for States, Tribes, Local Emergency Planning Committees, Local Planners and Responders“ to your LEPCs?

- Yes. What do you find helpful about the training? _____
- No. Why not? Please provide feedback: _____

If you checked “SERC-TERC Monthly Newsletter”,

79. Do you find the information in the SERC-TERC monthly newsletter helpful?

- Yes. What do you find helpful about the newsletter? _____
- No. What types of information should be included in the monthly newsletter?

80. Are there any issues that you feel EPA should address through the Qs and As, factsheets, or guidance?

- Yes. Please describe the issue(s): _____
- No.

81. How can EPA better assist SERCs and LEPCs with implementing EPCRA? Check all that apply.

- Host conferences for SERCs and LEPCs
- Provide more training materials. What types of training? _____
- Provide additional guidance materials for SERCs or LEPCs. Please describe additional guidance requested: _____

- Provide collaboration tools/platforms for SERCs and LEPCs to share information
- Other: _____

X. Challenges and Successes

Finally, please tell us about your challenges and successes.

82. What are the best practices used and resources provided in your state to implement EPCRA? Check all that apply.

- Regular meetings to discuss challenges and best practices
- Ensure that every planning district has an emergency response plan
- Sufficient resources (i.e., funding, manpower) to assist LEPCs
- Sufficient resources for your own operations
- Provide training
- Assist LEPCs in communicating risk to the community
- Hosting/Sponsoring tabletop exercises
- Other, please specify: _____

83. What are your State’s challenges in implementing EPCRA? Please rank in order of most challenging as a ‘1’, and if not a challenge please mark as ‘N/A’.

- ___ Lack of funding
- ___ Lack of coordination with LEPCs
- ___ Lack of technical assistance from EPA
- ___ Lack of staffing at LEPCs
- ___ Lack of leadership or motivation at LEPCs
- ___ Lack of leadership from state and local political officials
- ___ Lack of training for LEPCs
- ___ Other, please specify: _____

84. In addition to information provided in Q#82, please share other practices that make your EPCRA program successful.

85. If you or any of your LEPCs are currently experiencing any challenges in implementing EPCRA and its requirements, what would it take to address those challenges?

86. If there is anything else you would like to share, please include here:

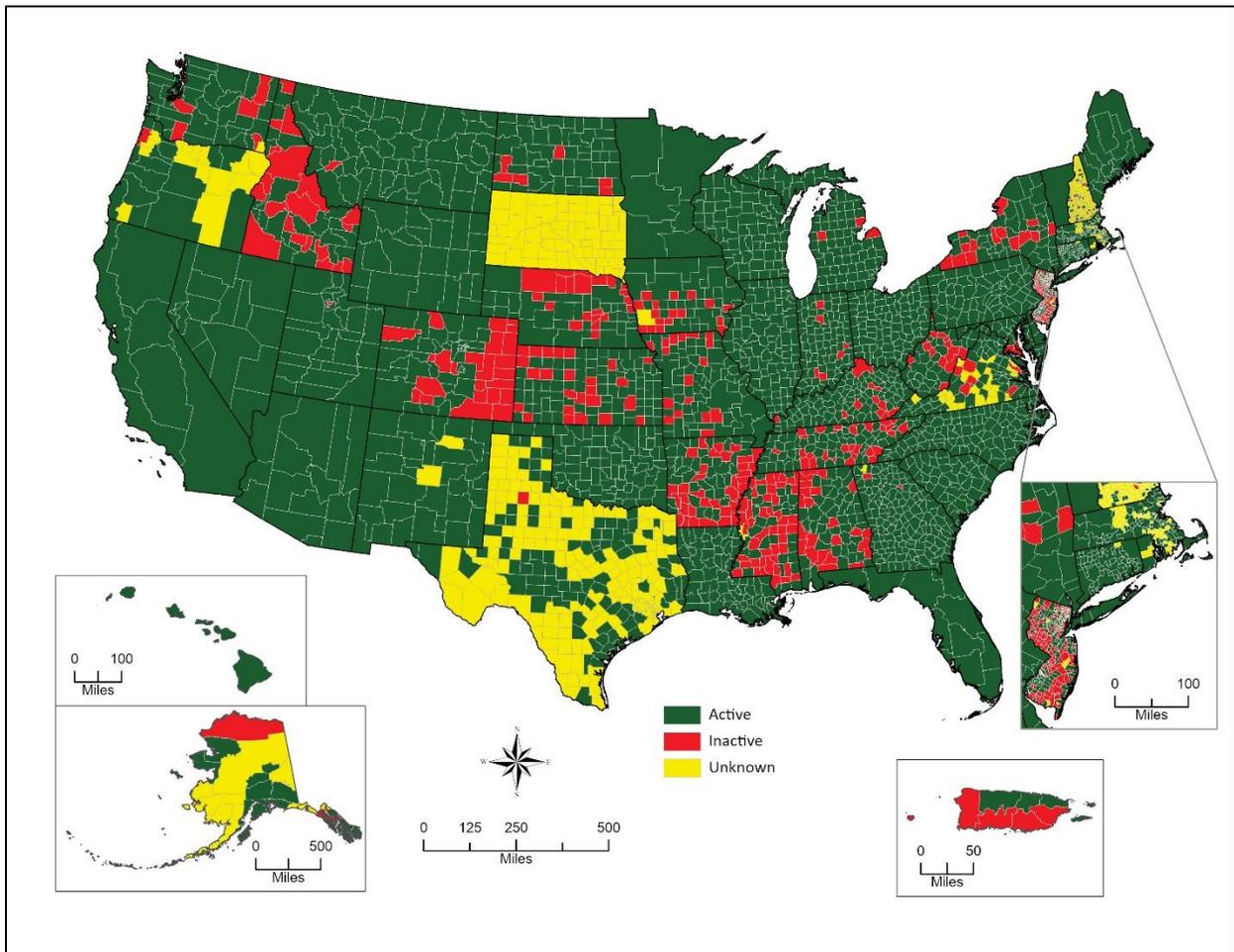
Appendix B

LEPC Maps

Active and Inactive LEPC Map

Question #23A of the survey requested states to indicate if their LEPCs are active or inactive. The Agency emailed a spreadsheet to every state along with the survey questions with LEPC information collected by EPA from the inception of the EPCRA program. The map below shows LEPC status and the boundaries provided by the states.

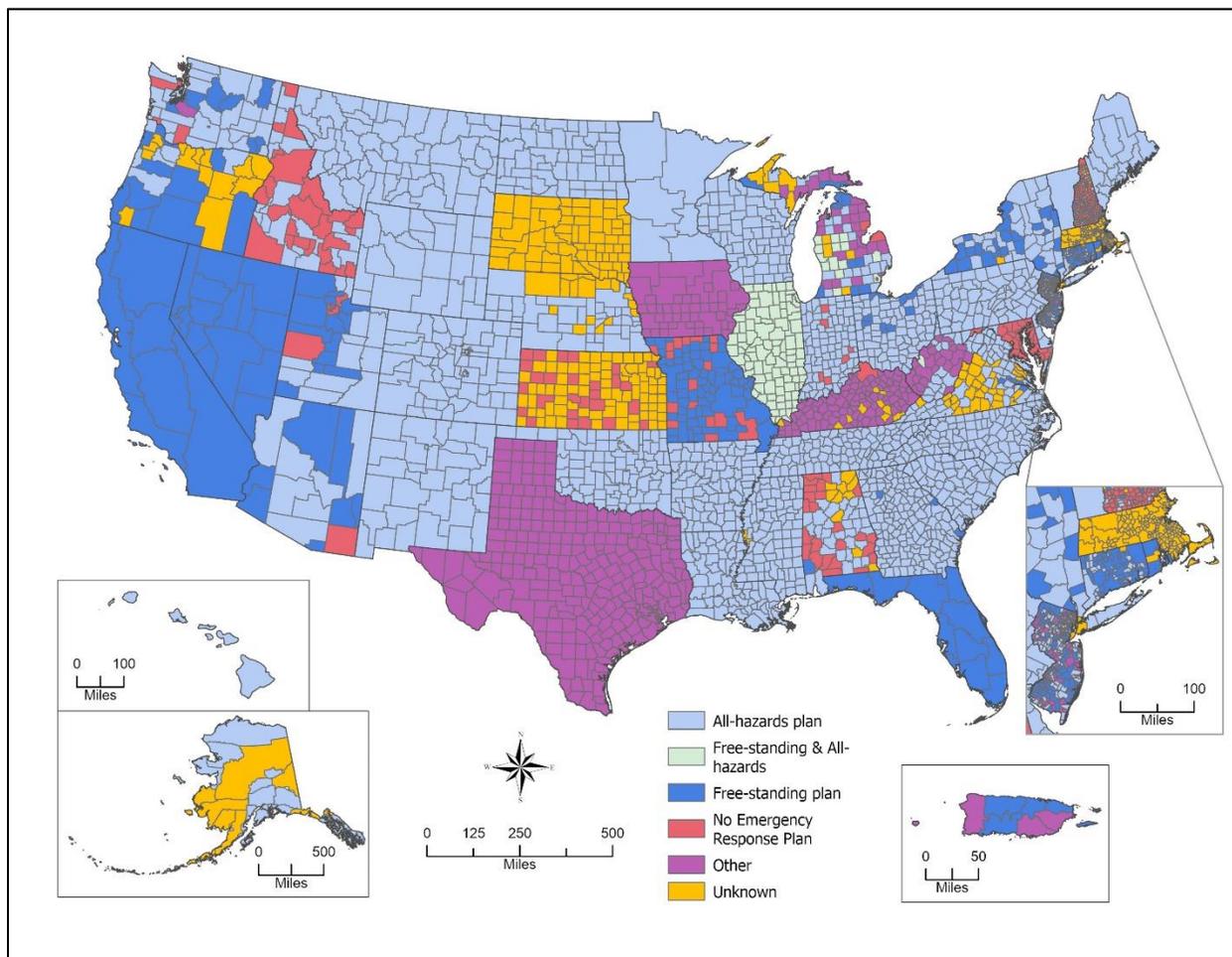
Exhibit 24. Active and Inactive LEPCs



Types of LEPC Emergency Response Plan Map

Question #25B of the survey requested states to list the type of emergency response plan their LEPCs developed for their planning district. The map below indicates if LEPCs have a free-standing plan for chemical emergencies, if chemical emergency plan is part of all-hazards plan, or part of other plans required by their state or local jurisdiction.

Exhibit 25. Type of Emergency Response Plan for each LEPC



Data assumptions/limitations in developing LEPC maps

The maps were developed in ArcGIS using the data provided by each state. States reported information on the geographic boundaries of each LEPC in their state. There were several limitations and assumptions made about the data provided by states to both survey questions #23A and #25B when developing the maps.

- If an answer provided by a state for either question #23A or #25B was not one of the listed standard answers provided for the survey question, a value of “unknown” was used as the default.
- For LEPCs that crossed multiple geographic boundaries (e.g., 2 or more counties), the geographic areas were merged to form one singular LEPC boundary.

- Connecticut LEPCs are based on town boundaries. In delineating these LEPCs, we used the following feature service as reference:
https://services1.arcgis.com/FjPcSmEFuDYIIdKC/ArcGIS/rest/services/LEPC_Towns/FeatureServer
- Illinois LEPCs used the following document to discern boundaries:
https://www2.illinois.gov/iema/Preparedness/SERC/Documents/LEPC_TierII_ContactList.pdf
- Massachusetts LEPCs are based on town boundaries. In delineating these LEPCs, we downloaded a towns shapefile as reference: <https://www.mass.gov/info-details/massgis-data-municipalities#downloads->
- New Jersey LEPCs are based on town boundaries. NJ also has an unofficial way of segmenting the state into three distinct zones (North, Central, and South). The zones come into play as there are towns in different parts of the state with the same name (e.g., there is a Fairfield township in Essex County and Cumberland County). The zones were used as a way to create unique identifiers for each town. The town feature service used for reference is
https://services2.arcgis.com/XVOqAjTOJ5P6ngMu/ArcGIS/rest/services/NJ_MunicipalBoundaries_3424/FeatureServer/0
- Rhode Island LEPCs are groupings of towns. In delineating these LEPCs, the following feature service was used as reference:
https://services2.arcgis.com/S8zZg9pg23JUEexQ/ArcGIS/rest/services/Municipalities_1997/FeatureServer
- South Dakota had not provided data at the time the maps were created.
- Harris County, Texas LEPCs were delineated using the following map:
<https://img1.wsimg.com/blobby/go/08dbe385-f614-4f63-b91e-b5a88936335f/downloads/harrisCountyLEPCMap%20%2011192019.pdf?ver=1596048850802>. TX zip code boundaries were intersected with the Harris County boundary and cross referenced against the above map. In situations where portions of LEPC boundary had slivers within other zip codes, those slivers were disregarded so that only the zip codes containing the vast majority of the LEPC boundary were noted in the analysis. In the response data, there was an entry of Harris County/Bellaire, TX which was assumed to be part of the city of Houston LEPC
- Virginia LEPCs used the following document to discern boundaries:
<https://www.deq.virginia.gov/home/showpublisheddocument/4383/63781390034217000>

Appendix C

AWIA Implementation Practices

The America's Water Infrastructure Act (AWIA) amended EPCRA Section 304 to require SERCs to notify the State Drinking Water Primacy Agency of any releases and provide them with the information received under EPCRA Section 304(b) and (c). For states without a primacy agency, SERCs are required to notify any community water system whose source waters are affected by a release.

AWIA also amended EPCRA Section 312, requiring SERCs and LEPCs to provide Tier II information to community water systems upon request. An analysis of AWIA implementation practices are discussed in Chapter 1. Analysis and Summary, Sections 1.4.2 and 1.5.3.

The following three questions were included in the SERC survey. Questions 1 and 2 are related to the implementation of EPCRA Section 304 amendments under AWIA. Question#3 is related to EPCRA Section 312 amendments under AWIA. In addition to these three questions, the survey asked how EPA may assist in implementing AWIA requirements. Ten states requested assistance, of which six states requested EPA to offer training or workshops for meeting AWIA requirements, and three states requested funding to meet these additional responsibilities under EPCRA. One state asked to be put on the National Response Center mailing list for any releases that are reported to ensure proper notification to the State Drinking Water Primacy Agency.

1. To ensure compliance with [AWIA requirements](#) (which went into effect on October 23, 2018), do you have a system and/or process in place to notify the State Drinking Water Primacy Agency or the community water system about releases?
2. How does your State ensure that the State Drinking Water Primacy Agency or community water system receives notification of **transportation-related** releases? (Note: *Although Section 2018(a) of AWIA does not specify how transportation related releases should be forwarded to the state drinking water primacy agency or community water systems, EPA encourages SERCs to coordinate with 911 operators or any other established system that receives release notification to notify the state drinking water primacy agency (or community water systems) that may be affected by the release.*) Please include any challenges and/or issues with implementing the AWIA amendments.
3. Briefly explain your process for providing access to Tier II information to the community water systems as required by AWIA amendments.

A few states have not established a process for implementing AWIA amendments to EPCRA Section 304. These states requested EPA to share best practices or processes established by other states. This appendix provides some of the practices implemented in the states.



Alabama

<i>AWIA Section 304 Requirements Established:</i>
Alabama Department of Environmental Management (ADEM) is the drinking water primacy agency. There was already a system in place where ADEM staff notifies a water system of a potential spill upstream of their intake.
<i>Transportation-Related Releases:</i>
ADEM notifies the state water primacy (ADEM Water Division) and makes downstream notifications of transportation related releases into a waterway in the same manner they would with a facility or fixed release. The challenge would be that the process is contingent on local 911 and responders making the initial notification to the ADEM Emergency Response Branch (via the NRC or State Warning Point) before the notification process can begin.
<i>AWIA Section 312 Requirements Established:</i>
The Water System can request Tier II Data by asking ADEM SERC Staff for it and they will be provided the needed information.
If the water system requests Tier II Data for their area, then we request a KML file for their service area. That map is then overlaid with the KML file with the Tier II data inside of it. Using both maps, a list of Tier II Facilities is extracted for that service area, and Tier II Reports are then exported and compiled for the requestor.



Alaska

<i>AWIA Section 304 Established:</i>
DEC is the drinking water primary agency; spill reports come to our spill hotline.
<i>Transportation-Related Releases:</i>
Process is still in development. We are currently working internally to finalize standard operating procedures to share spill data with the drinking water program.



Arizona

<i>AWIA Section 304 Requirements Established:</i>
Operator will assign a computer generated ADEQ Spill Report Log#, enter the date of the call, time of the call (military time), agency name, name and title of caller, phone number (include extension if applicable), value stream(s) effected, summary of message (include incident date/time/directions/address/equipment and material used/responsible party with contact information/material released/chemical name/quantity released/agencies notified/Was NRC called

(obtain report #) and County. Action taken, Type of spill Code (see legend), type the word "open" under the open/close tab to indicate the call is open, National Response Center # and first initial last name of the person who handled the message, enter a number 1 under the VS contacted, enter a number 1 under the county affected. Value Stream individual(s) who are contacted regarding the spill and/or incident will receive an email from Trello indicating they have a message to check the spill log. If no further action is necessary enter what happened in the open/close column (such as, inspector sent, no further action required, matter closed, etc.)

Transportation-Related Releases:

Specific phone line for reporting spills. Operator will assign a computer generated ADEQ Spill Report Log#, enter the date of the call, time of the call (military time), agency name, name and title of caller, phone number (include extension if applicable), value stream(s) effected, summary of message (include incident date/time/directions/address/equipment and material used/responsible party with contact information/material released/chemical name/quantity released/agencies notified/Was NRC called (obtain report #) and County. Action taken, Type of spill Code (see legend), type the word "open" under the open/close tab to indicate the call is open, National Response Center # and first initial last name of the person who handled the message, enter a number 1 under the VS contacted, enter a number 1 under the county affected. Value Stream individual(s) who are contacted regarding the spill and/or incident will receive an email from Trello indicating they have a message to check the spill log. If no further action is necessary enter what happened in the open/close column (such as, inspector sent, no further action required, matter closed, etc.)



Arkansas

AWIA Section 304 Requirements Established:

Direct notification of State Drinking Water Primary Agency

Transportation-Related Releases:

No response provided.



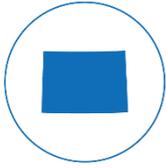
California

AWIA Section 304 Requirements Established:

State warning center call down list.

Transportation-Related Releases:

State Warning Center call down list and notifications.



Colorado

<i>AWIA Section 304 Requirements Established:</i>
Water systems are instructed to contact their local 911 dispatch centers, so they receive immediate reports directly.
<i>Transportation-Related Releases:</i>
Water systems are instructed to contact their local 911 dispatch centers, so they receive immediate reports directly. This is a long-standing and successful approach in Colorado.
<i>AWIA Section 312 Requirements Established:</i>
Community water systems are instructed to join their local and source water area LEPCs.



Connecticut

<i>AWIA Section 304 Requirements Established:</i>
Currently, manual notifications. Moving to Hazconnect ^{®38} automated notifications in 2022.
<i>Transportation-Related Releases:</i>
Currently, we provide access to the State Drinking Water Primacy Agency to our database of reported releases. We are putting in place an automated notification system.
<i>AWIA Section 312 Requirements Established:</i>
Provided electronically upon request.



Delaware

<i>AWIA Section 304 Requirements Established:</i>
The DERNs application allows for users to sign-up to receive notices when releases are reported. Our State Drinking Water Primacy Agency contacts are signed up as designated recipients. For written follow-up reports, those folks are included in the email list of recipients for those reports. (When written reports are received, those reports are scanned and distributed to a set user list via email.)
<i>Transportation-Related Releases:</i>
Same process as above.
<i>AWIA Section 312 Requirements Established:</i>
Provide data exported from system in excel format, as requested.

³⁸ Some states use Hazconnect[®] TIER II MANAGER[™] System as their reporting software for facilities to submit their annual Tier II reports.



Florida

<i>AWIA Section 304 Requirements Established:</i>
Online database
<i>Transportation-Related Releases:</i>
FDEM created an online database detailing all hazardous releases reported to the State Watch Office including transportation related releases. The Water facilities and the State Source and Drinking Water Unit within the Florida Department of Environmental Protection have access to this database as well. In addition, the FDEM’s State Watch Office notifies the State Source and Drinking Water Unit of these hazards utilizing the incident notification process, who in turn ensure proper mitigation efforts are taken by working with the water facilities and assisting as needed, bringing in State, Local or other resources if required.
<i>AWIA Section 312 Requirements Established:</i>
The Water facilities and the State Source and Drinking Water Unit within the Florida Department of Environmental Protection have access to the on-line database described above.



Georgia

<i>AWIA Section 304 Requirements Established:</i>
The state warning point receives notification. Clarifying direct notification to EPD Watershed Branch.
<i>Transportation-Related Releases:</i>
We will coordinate on a process.
<i>AWIA Section 312 Requirements Established:</i>
We encourage a representative of the community water system join the LEPC. The SERC will conduct outreach to inform them they can contact the SERC directly for Tier II reports if no LEPC operates locally.



Hawaii

<i>AWIA Section 304 Requirements Established:</i>
If there is a release that occurs near a drinking water well, we notify the Safe Drinking Water Branch.
<i>Transportation-Related Releases:</i>
If Hawaii’s SERC receives notification of a release that could affect a water well, the Safe Drinking Water Branch is notified. The Safe Drinking Water Branch has a system to notify the community water systems.



Idaho

<i>AWIA Section 304 Requirements Established:</i>
State Communications notification distribution list for written transcript of call.
<i>Transportation-Related Releases:</i>
State Comm reports and inclusion on bridge call of any transportation related releases of 25 gallons or more of petroleum product/ petroleum release into navigable waterway.
<i>AWIA Section 312 Requirements Established:</i>
Provided as requested.



Illinois

<i>AWIA Section 304 Requirements Established:</i>
WEB EOC System.
<i>Transportation-Related Releases:</i>
Via email.
<i>AWIA Section 312 Requirements Established:</i>
Provided as requested.



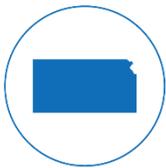
Indiana

<i>AWIA Section 304 Requirements Established:</i>
We have added a process to TIER II MANAGER™ because we already had an incident reporting feature on the system. We are currently in the testing phase and hope to go live by the end of 2021
<i>Transportation-Related Releases:</i>
We are implementing a notification system into our incident reporting software on TIER II MANAGER™. We have added GIS and all of the drinking water and community water system locations. Whenever an incident is reported, all of the water sources around the spill will receive notification from an IDHS email. The challenge we have faced is getting all of the GIS and contact information for the various water sources. During this process we have also discovered communication and reporting shortfalls with both IDEM, IDHS, and facilities. We have some meetings coming up to figure out what the best practices will be for Indiana regarding spills and incident reporting.
<i>AWIA Section 312 Requirements Established:</i>
The water systems will be able to access the incident reports filed onto Tier II or can contact IDEM or IDHS for the spill information.



Iowa

<i>AWIA Section 304 Requirements Established:</i>
The Iowa DNR is the state primacy agency. When an incident is reported staff evaluate risks to water system and make notification if appropriate.
<i>Transportation-Related Releases:</i>
The DNR receives spill notifications whether at a fixed facility or transportation related. The DNR is also the state drinking water primacy agency and makes notifications to PWS and CWS as appropriate.
<i>AWIA Section 312 Requirements Established:</i>
PWS/CWS that request access to the Tier II system are granted access. If they prefer the department supply them with a report of facilities submitting Tier II reports we can accommodate that as well. We also have geographical mapping tools that indicates Tier II facility locations in relation to PWS/CWS source water capture zones.



Kansas

<i>AWIA Section 304 Requirements Established:</i>
Kansas Department of Health and Environment (KDHE), Spills Response Program, makes internal notification to KDHE Bureau of Water regarding hazardous materials releases that have or will impact public water supplies; KDHE Bureau of Water makes the appropriate notification to public water supplies that have been or will be impacted so that they may begin to initiate emergency protective measures as needed.
<i>Transportation-Related Releases:</i>
Kansas Department of Health and Environment (KDHE), Spills Response Program, makes internal notification to KDHE Bureau of Water regarding hazardous materials releases that have or will impact public water supplies; KDHE Bureau of Water makes the appropriate notification to public water supplies that have been or will be impacted so that they may begin to initiate emergency protective measures as needed. In addition, the spiller has the responsibility to make notification to the local emergency planning committee in the county where a hazardous materials release/spill occurs, which is accomplished by notification to the 911 communications center in the respective county. The 911 emergency communications center may also be making notification to emergency services to coordinate local response and recovery, which could also include public water supplies that have been or may be impacted within their county.
<i>AWIA Section 312 Requirements Established:</i>
Individual requests are emailed to the Kansas Department of Health and Environment, Right-to-Know Program at kdhe.rtk@ks.gov .



Kentucky

<i>AWIA Section 304 Requirements Established:</i>
The affected jurisdiction notifies the Kentucky State Warning Point (SWP) regarding the release. The SWP point then notifies the Kentucky Department of Health, the Kentucky Energy and Environment Cabinet, the Kentucky Public Service Commission, and the Kentucky Transportation Cabinet.
<i>Transportation-Related Releases:</i>
The affected jurisdiction notifies the Kentucky State Warning Point (SWP) regarding the release. The SWP point then notifies the Kentucky Department of Health, the Kentucky Energy and Environment Cabinet, the Kentucky Public Service Commission, and the Kentucky Transportation Cabinet.
<i>AWIA Section 312 Requirements Established:</i>
Create account in TIER II MANAGER™.



Louisiana

<i>AWIA Section 304 Requirements Established:</i>
All calls received through the Hazmat Hotline are relayed to multiple agencies including the Primary Agency for State Drinking Water. They also receive copies of the written follow-up reports received.
<i>Transportation-Related Releases:</i>
All calls received through the Hazmat Hotline are electronically relayed to multiple agencies including the Primary Agency for State Drinking Water. They also receive electronic copies of written follow-up reports received by the Commission.
<i>AWIA Section 312 Requirements Established:</i>
Access through E-Plan or may request directly from the LEPC.



Maine

<i>AWIA Section 304 Requirements Established:</i>
Maine has a 24-hour phone number for them and an email address to make notifications. Maine Dept. of Environmental Protection also makes notifications to the State Drinking Water Program when they respond to a spill. Our State Drinking Water Program also gets alerts from the NRC on any spills that get reported.
<i>Transportation-Related Releases:</i>
When the Maine Emergency Management Agency Duty Officer gets a notification of a transportation incident, we notify the Maine Drinking Water Program immediately. Maine Dept. of Environmental Protection will also notify the Maine Drinking Water Program when they respond to a transportation incident. Some challenges we face is that we don't always get notified of a transportation incident if the local fire departments are handling them.

<i>AWIA Section 312 Requirements Established:</i>
If a water district reached out, we will provide them with the information they request but they have to reach out to the State or the County EMA for that information.



Maryland

<i>AWIA Section 304 Requirements Established:</i>
MDE CRTK staff review incident reports each morning (weekdays only) and forwards any covered reports to the Water Supply Program.
<i>AWIA Section 312 Requirements Established:</i>
Any request from a CWS is forwarded to the Water Supply Program. Water Supply provides the coordinates for the source water protection area to MDE’s IT GIS staff. The GIS staff overlays the source water protection area onto the Tier Two geographic layer and extracts the list of facilities. CRTK staff then provides either the list of facilities or electronic copies of Tier Two reports (whichever was requested) to the CWS.



Massachusetts

<i>AWIA Section 304 Requirements Established:</i>
MassDEP is notified about releases and is the primary drinking water agency
<i>AWIA Section 312 Requirements Established:</i>
Requests for Tier II info come to MEMA HQ and we provide appropriate reports to stakeholders that request information.



Michigan

<i>AWIA Section 304 Requirements Established:</i>
The Michigan Drinking Water agency has access and is copied on all releases in Michigan through the State’s Pollution Emergency Alerting System (PEAS). The Michigan Drinking Water agency has access to Michigan’s Tier II Report database (all information related to Tier II Reporting).
<i>AWIA Section 312 Requirements Established:</i>
The Michigan Drinking Water agency has access to Michigan’s Tier II Report database (all information related to Tier II Reporting).



Minnesota

<i>AWIA Section 304 Requirements Established:</i>
Minnesota Duty Officer Program – MDO Personnel are responsible for making notifications to other State Agencies. At time of initial Release notification MDO personnel are trained to clarify information about release with caller and identify which State Agencies require notification of release. The State Drinking Water Primacy Agency is the Minnesota Dept. of Health.
<i>Transportation-Related Releases:</i>
The Minnesota Duty Officer Program has a designated call center for any and all spills and releases in the State, including those resulting from a transportation-related incident. MDO Personnel are responsible for making notifications to other State Agencies. At time of initial release notification MDO personnel are trained to clarify information about release with caller and identify which State Agencies require notification of release. The State Drinking Water Primacy Agency is the Minnesota Dept. of Health.
<i>AWIA Section 312 Requirements Established:</i>
Information provided by Tier II Data Administrator upon request



Mississippi

<i>AWIA Section 304 Requirements Established:</i>
Mass Distribution notifications are sent to all stakeholders following the reporting of any hazmat incident
<i>AWIA Section 312 Requirements Established:</i>
Any Community water system can request access to E-Plan



Missouri

<i>AWIA Section 304 Requirements Established:</i>
Under the Dept. Of Natural Resources – DNR monitors the EER notification and spill line.
<i>AWIA Section 312 Requirements Established:</i>
This is handled by the Dept. of Natural Resources.



Montana

<i>AWIA Section 304 Requirements Established:</i>
DEQ Duty Officer Program
Montana’s DEQ, DES and the State Public Health Department have duty officer programs that relay urgent messages to each other and to corresponding local jurisdiction’s authorities (such as local public health, local emergency manager and local sanitarian) about any event that poses a risk to health and safety of an individual, population, or environment including risks to drinking water, flowing water (such as rivers/streams) and other events. Other agencies such as Fish, Wildlife and Parks; Department of Natural Resources; and associated state agencies may also be notified.
<i>AWIA Section 312 Requirements Established:</i>
CWS will contact LEPC’s. Individual LEPC’s will have to decide how to extract, compile/format, and present the information to the CWS.



Nebraska

<i>AWIA Section 304 Requirements Established:</i>
NDEE is the primacy agency and Kirk Morrow (NDEE ER) notifies us of any releases. We then notify the system.
<i>AWIA Section 312 Requirements Established:</i>
SOP is provided.



Nevada

<i>AWIA Section 304 Requirements Established:</i>
Within the State of Nevada, it is the Nevada Division of Environmental Protection/State Department of Conservation and Natural Resources that is responsible for the Safe Drinking Water Act.
<i>AWIA Section 312 Requirements Established:</i>
Although NDEP would be the contact for AWIA information, anyone is able to file a public records request in the State of Nevada.



New Hampshire

<i>AWIA Section 304 Requirements Established:</i>
Facilities notify State Police dispatch which notifies NH DES who notifies the Community Water System.



New Jersey

<i>AWIA Section 304 Requirements Established:</i>
Referred within NJDEP and the water companies and impacted counties. Environmental emergencies and incidents get reported to the 24/7 DEP Hotline in NJ. NJDEP is the state drinking water primacy agency which also notifies potentially impacted community water systems.
<i>AWIA Section 312 Requirements Established:</i>
Someone submits a request, NJDEP runs a report and provides information as appropriate.



New Mexico

<i>AWIA Section 304 Requirements Established:</i>
No process has been established.
<i>AWIA Section 312 Requirements Established:</i>
File for each county is available through WebEOC.



New York

<i>AWIA Section 304 Requirements Established:</i>
Notification to Commercial Water Supplies through the State Drinking Water Primacy Agency (NYS DOH – Bureau of Water Supply), and through Local Health Departments (LHD). The State has aggressive all-hazards and hazard-specific notification procedures for incidents, which includes transportation-related and fixed site emergencies. Notifications are made through multiple redundant watch centers in the state. No challenges or issues with AWIA.
<i>AWIA Section 312 Requirements Established:</i>
Updated guidance documents, web information, coordination with state water primacy agency, notification to community water supply operators of tier II availability. Webinars are being planned for 2022.



North Carolina

<i>AWIA Section 304 Requirements Established:</i>
When reported to the watch any releases effecting waterways is shared with our water resources agency who then verifies downstream impacts and conducts notifications.
Any release effecting waterways no matter the source is reported to this agency for assessment.
<i>AWIA Section 312 Requirements Established:</i>
We provide this directly or through the rural water association and water resources.



North Dakota

<i>AWIA Section 304 Requirements Established:</i>
State Drinking Water Primacy Agency and Community Water Systems are part of the interactive system. Watersheds is a layer on the map as well as intakes. If a spill is in that area they get notified automatically.
The Department of Environmental Quality assures this is accurate and taken care of.
<i>AWIA Section 312 Requirements Established:</i>
They have a login to the system for their geographic area.



Ohio

<i>AWIA Section 304 Requirements Established:</i>
SERC has coordinated with Ohio EPA Division of Public Drinking and Ground Water and Office of Emergency Response. The Ohio EPA SERC Representative receives an email from Emergency Response if a spill was received that has potential to impact a public drinking water source. Field communication and response protocols from Emergency Response On-Scene Coordinators and public drinking water source takes place.
Ohio EPA Emergency Response Unit has procedures and protocols in place to assure communication with public drinking water sources.
<i>AWIA Section 312 Requirements Established:</i>
Provide upon request from AWIA with information provided in CAMEO and/or Excel spreadsheet.



Oklahoma

<i>AWIA Section 304 Requirements Established:</i>
The DEQ also houses the State Drinking Water Primacy Agency and reports are shared between divisions.
<i>AWIA Section 312 Requirements Established:</i>
Housed within the same agency and data is shared via the CAMEO software and pdf.



Oregon

<i>AWIA Section 304 Requirements Established:</i>
Water purveyors have access to any release through notification by the OERS reports. These reports are emailed to all registrants within minutes of the release occurrence. OEM also provides assistance to the purveyors to put measures in place to ensure they are notified or assist them in getting on a notification list. All release notifications, at fixed site, or during transport are reported to OERS by the facility, transporter and/or first responders. Oregon state agencies have taken multiple steps to ensure all water purveyors are aware of the requirement and availability of the release information.
<i>AWIA Section 312 Requirements Established:</i>
Our online reporting system, CHS Manager, gives access to anyone who requests the information from our program. There are several different “user” types in the system, the “citizen user is for anyone looking for information related to hazardous substance stored in their community.



Pennsylvania

<i>AWIA Section 304 Requirements Established:</i>
State Operations Center to DEP to Facility
911 and follow up through WEBEOC. County EMAs handle it directly 95 percent of the time.
<i>AWIA Section 312 Requirements Established:</i>
Non-disclosure agreement is signed by Water system, then special access to the PA Tier II Submit (PATTS) online system is granted.



Puerto Rico

<i>AWIA Section 304 Requirements Established:</i>
In incidents where there is any impact to there is the possibility of impacting a body of water, we notify the incident to the Puerto Rico Aqueduct and Sewer Authority (PRASA) by telephone.
<i>AWIA Section 312 Requirements Established:</i>
The Community has to request the Tier II data to the SERC and once it is approved, the information is given to them.



Rhode Island

<i>AWIA Section 304 Requirements Established:</i>
DEM response personnel notify DOH if they identify the area as a drinking water aquifer. We requested that DOH receive NRC reports so that they can identify if the release is in an aquifer area of concern. That would eliminate issues with identification of Wellhead Protection Areas.
<i>AWIA Section 312 Requirements Established:</i>
Any Tier II information that is requested from the Office of Emergency Response, DEM will be reviewed and then released to the requesting person or agency to meet the required AWIA amendments.



South Carolina

<i>AWIA Section 304 Requirements Established:</i>
SC DHEC is the state reporting point for these notifications.
<i>AWIA Section 312 Requirements Established:</i>
They request the information locally and SC DHEC provides information.



South Dakota

<i>AWIA Section 304 Requirements Established:</i>
DANR internally informs the Drinking Water program who then inform the systems of a release



Tennessee

<i>AWIA Section 304 Requirements Established:</i>
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Upon receipt of notification, TDEC is notified which in turn will notify the State Drinking Water Primary Agency. Upon receipt of notification of spill affecting drinking water, TDEC and the local Emergency Management Agency is notified.

AWIA Section 312 Requirements Established:

Information may be obtained through our Hazmat Branch and Public Relations Offices through a request for information (RFI).



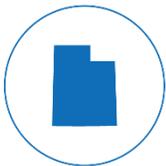
Texas

AWIA Section 304 Requirements Established:

TDEM’s State Operations Center which serves as the state’s 24/7 Warning Point shares notifications with TCEQ, the state’s regulatory agency that oversees public drinking water systems.

AWIA Section 312 Requirements Established:

When Tier II data is requested for by a CWS for AWIA amendments, we verify the requestor is from the CWS or is representing the CWS, then we search for the data requested and export the data into either an XML or PDF file format for the CWS.



Utah

AWIA Section 304 Requirements Established:

Spills are reported through the DEQ hotline. DDW is notified through an email of the spill report or direct notification by the Duty Officer. DDW determines if there is a risk to any water system(s) and notifies the PWS by phone and email.

AWIA Section 312 Requirements Established:

Community water systems can access the DEQ’s online Tier 2 Submission Portal’s GRAMA Search to look up Tier 2 reports. Assistance can be provided by the DEQ Tier 2 Coordinator.



Vermont

AWIA Section 304 Requirements Established:

All Hazmat releases reported to the Vermont Emergency Management (VEM) watch officer are reported to the Water Quality units and community water district.

AWIA Section 312 Requirements Established:

All Hazmat releases reported to the Vermont Emergency Management (VEM) watch officer are reported to the Water Quality units and community water district.



Virginia

<i>AWIA Section 304 Requirements Established:</i>
State drinking water primacy agency has access to the Statewide Alert Network (SWAN) and receives copies of incident reports and updates from the Virginia Emergency Operations Center. They can also be notified by state On-Scene Coordinators if necessary or if notification has not been confirmed.
<i>AWIA Section 312 Requirements Established:</i>
The Virginia Department of Health – Office of Drinking Water has a reciprocal information sharing agreement with the Virginia Department of Environmental Quality.



Washington

<i>AWIA Section 304 Requirements Established:</i>
In Washington State, the Department of Health (DOH) is the primacy agency. ECY notifies DOH of releases, both EPCRA and non-EPCRA, and does not distinguish between the two. Our notification process is the same for both transportation-related or fixed facility-related releases.



West Virginia

<i>AWIA Section 304 Requirements Established:</i>
Multiple representatives from the State Drinking Authority receive all spill notifications. The spill notifications are then shared with drinking water systems around the state.
<i>AWIA Section 312 Requirements Established:</i>
As requested by community water systems



Wisconsin

<i>AWIA Section 304 Requirements Established:</i>
WDNR Process
<i>AWIA Section 312 Requirements Established:</i>
Information is provided on request by WEM and LEPCS. Community water systems are eligible to get free access to the WHOPRS system.



Wyoming

<i>AWIA Section 304 Requirements Established:</i>
Handled by LEPCs and Wyoming Office of Homeland Security. Communicating with the LEPCs and water treatment facilities about the importance of sharing information and working together. Getting water treatment facilities actively involved with the SERC.
<i>AWIA Section 312 Requirements Established:</i>
It is the responsibility of the LEPCs to contact the water treatment facilities in their county.

Appendix D

State Profiles

In the first 10 years of the EPCRA program, the NGA compiled and published each state's establishment of the program, the agencies or department and their roles within the SERC organization, the number of LEPCs and their administrative boundaries, funding resources, etc. As 35 years have passed since EPCRA was enacted, the Agency compiled all the information similar to the report published by the NGA, "*Emergency Planning and Community Right-to-Know: State Profiles*". The state profiles in this report include responses for questions 1-3, 7, 10, 11, 16, 17, 19, 30, 33, 34, 37, 38, 42-45, 50, 51, 55, 64, and 65. See Appendix A

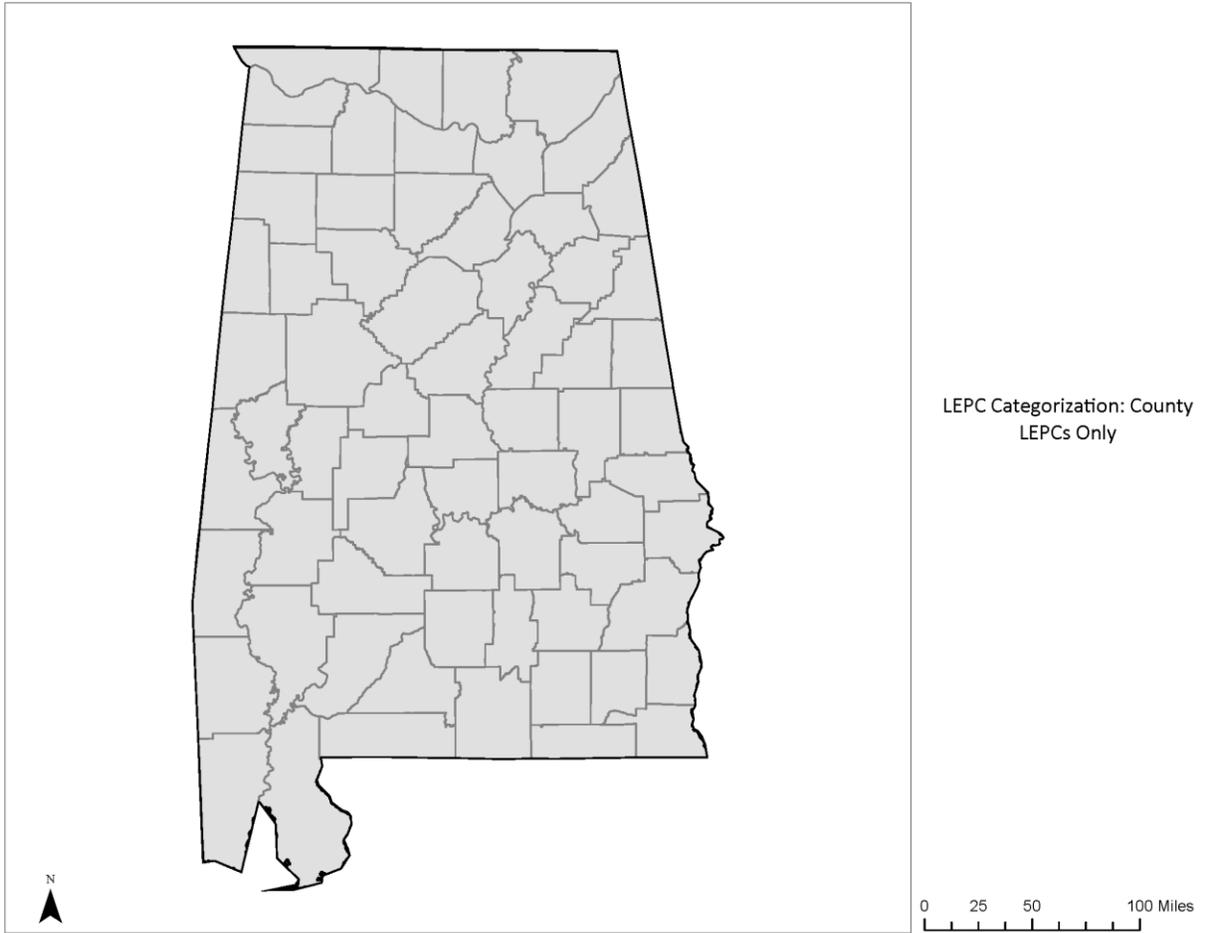
Survey Questions for these survey questions.



Alabama

Commission Name:	Alabama Emergency Response Commission
Legal Basis:	Executive Order 4, March 6, 1987
Commission Chairs:	Alabama Department of Environmental Management (ADEM) and Alabama Emergency Management Agency (AEMA)
SERC Members:	Alabama Fire College; Alabama Department of Agriculture and Industries; Alabama Association of Volunteer Fire Departments; Alabama Department of Corrections; Alabama Department of Economic and Community Affairs; Alabama Emergency Management Association; Alabama Forestry Commission; Alabama Governor’s Office of Volunteer Services; Alabama Department of Insurance; Alabama Department of Transportation; American Petroleum Institute; Alabama Rural Electric Association of Cooperatives; Alabama Rural Water Association; Auburn-Alabama Cooperative Extension System Auburn University; Alabama Department of Conservation and Natural Resources; Department of Education; Department of Human Resources; Geological Survey; National Guard; Oil and Gas Board; Petroleum & Convenience Marketers of Alabama; Poarch Band of Creek Indians; Public Service Commission; Red Cross, U.S. EPA, U.S. Coast Guard; U.S. Department of Homeland Security; Alabama Law Enforcement Agency; Alabama Department of Public Health; Business Council of Alabama; Association of County Commissioners; Alabama League of Municipalities; Alabama Chemical Manufacturing Association; ADPH Office of Radiation Control
Roles and Responsibilities:	AEMA Supervise LEPC activities; Review emergency response plans; Receive emergency release telephone notifications
	ADEM Receive emergency release notifications (follow-up written reports); Receive Tier II reports or State equivalent; Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Emails; Phone calls; In-person meetings
Resources and Assistance provided for LEPC:	ADEM provide training for LEPCs on an as needed basis. We receive requests to discuss Tier II Reporting, E-Plan, CAMEO and other EPCRA topics and present at LEPC meetings throughout the year. Also provide guidance documents and assist with outreach to facilities. Training events are held for hazmat groups needing an overview of

	how to use CAMEO and also teach a 4-hour class on Hazard Chemical Inventories in E-Plan
<i>Tribal Representatives in SERC/LEPC:</i>	SERC
<i>Sources of Funding:</i>	HMEP for certain activities; No operating budget for the SERC to implement EPCRA
<i>Emergency Planning Notification Requirements (EPCRA Section 302):</i>	Follows federal program
<i>Number of EHS Planning Facilities in CY20:</i>	1,245
<i>Emergency Release Notification Requirements (EPCRA Section 304):</i>	Follows federal program
<i>Release Notification System:</i>	State Warning Point/Hotline; 911
<i>Follow-up Reports:</i>	All written reports are received, entered, and stored in an online information system for ADEM.
<i>AWIA Section 304 Requirements Established:</i>	Alabama Department of Environmental Management (ADEM) is the drinking water primacy agency. There was already a system in place where ADEM staff notifies a water system of a potential spill upstream of their intake.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	3,704
<i>Reporting Software:</i>	E-Plan; Tier2 Submit
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fees:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Mass emails; Phone calls
<i>AWIA Section 312 Requirements Established:</i>	<p>The Water System can request Tier II Data by asking ADEM SERC Staff for it and they will be provided the needed information.</p> <p>If the water system requests Tier II Data for their area, then we request a KML file for their service area. That map is then overlaid with the KML file with the Tier II data inside of it. Using both maps, a list of Tier II Facilities is extracted for that service area, and Tier II Reports are then exported and compiled for the requestor.</p>
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room; Provide data electronically
<i>Fee for processing requests:</i>	\$0.30 for hard copy, no fee for providing electronically

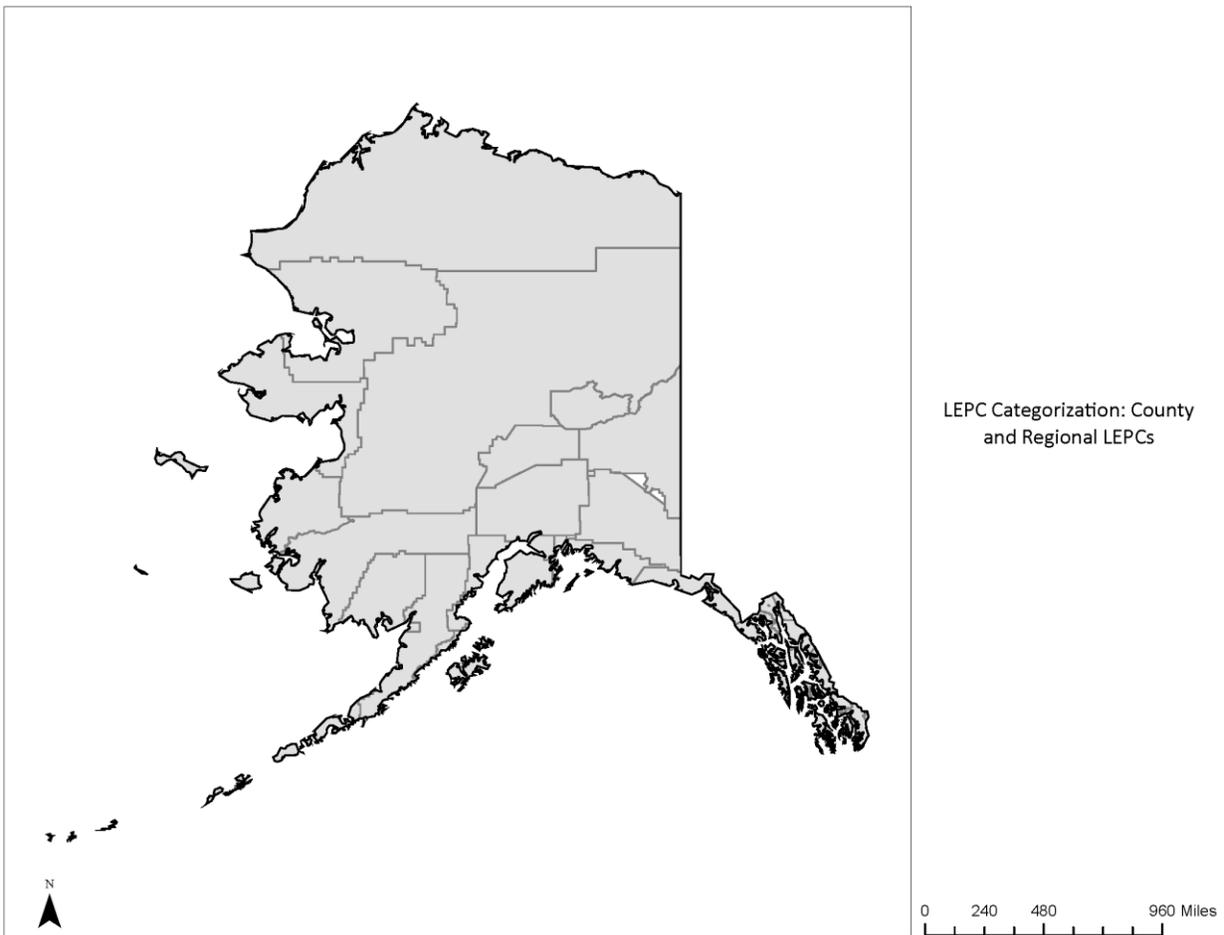




Alaska

Commission Name:	Alaska State Emergency Response Commission
Legal Basis:	1987 Administrative Order, 1990 State law
Commission Chairs:	Alaska Department of Military & Veteran Affairs, Alaska Department of Environmental Conservation (DEC)
SERC Members:	Dept. of Military & Veteran Affairs; Dept. of Environmental Conservation; Dept. of Commerce & Economic Development; Dept. of Fish and Game; Dept. of Health and Social Services; Dept. of Labor and Workforce Development; Dept. of Natural Resources; Dept. of Public Safety; Dept. of Transportation & Public Facilities; LEPC Urban (2); LEPC Rural (2); LEPC Local Government (2); Other public (1) <u>Ex-Officio/non-voting:</u> Dept. of Administration; Dept. of Education & Early Development; Federal Emergency Management Agency; Alaskan Command; U.S. Coast Guard; Environmental Protection Agency
Roles and Responsibilities:	<i>SERC</i> Supervise LEPC activities; Review emergency response plans <i>DEC</i> Receive emergency release telephone (initial) notifications; Receive emergency release follow-up written reports; Receive Tier II reports or State equivalent; Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Emails; Phone calls; Conferences
Resources and Assistance for LEPCs:	Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities; Share training opportunities
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	State Appropriated funds; EPA CORE funds for outreach activities to LEPCs.
Emergency Planning Notification Requirements (EPCRA Section 302):	State program - lower reporting thresholds
Number of EHS Planning Facilities in CY20:	523
Emergency Release Notification Requirements (EPCRA Section 304):	State program – requires reporting of any hazardous substance releases
Release Notification System:	State Hotline
Follow-up Reports Tracking:	SPILLS database
AWIA Section 304 Established:	DEC is the drinking water primary agency; spill reports come to our spill hotline.

Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program – lower reporting thresholds; require electronic reporting; one-stop filing
<i>Number of Facilities Reported in CY 2020:</i>	1,356
<i>Reporting Software:</i>	E-Plan
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fees:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Mass emails; Phone calls
<i>AWIA Section 312 Requirements Established:</i>	N/A
Public Access to EPCRA Information (EPCRA Section 324):	Reading room
<i>Fee for processing requests:</i>	If request exceeds 200 pages, fee of 25 cents per page, inclusive of the first 200 pages

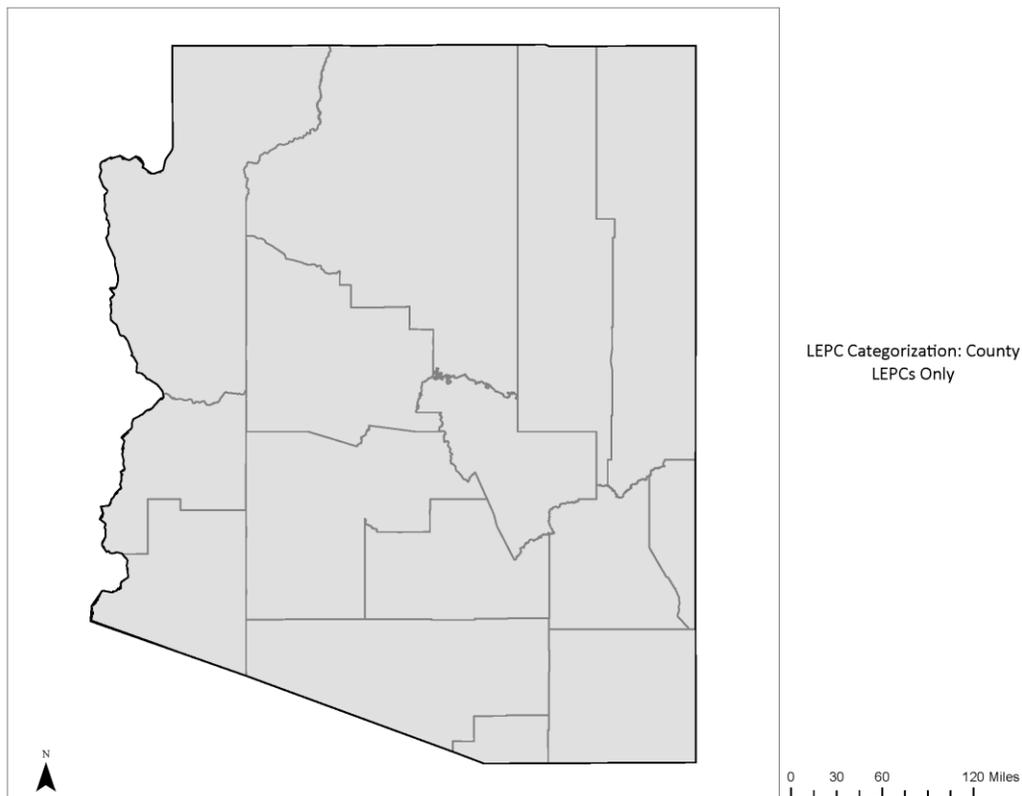




Arizona

Commission Name:	Arizona State Emergency Response Commission
Legal Basis:	State Law: Arizona Revised Statute §49-123
Commission Chair:	Arizona Department of Environmental Quality
SERC Members:	Arizona Department of Emergency and Military Affairs (DEMA); Arizona Department of Homeland Security (AZDOHS); Arizona Department of Public Safety (DPS); Arizona Department of Transportation (ADOT); Arizona Department of Agriculture (AZDA); Arizona Corporation Commission (AZCC); Industrial Commission of Arizona (ICA/Arizona Division of Occupational Safety and Health) (AZDOSH); Arizona Department of Forestry & Fire Management (DFFM); Arizona Office of State Mine Inspector (ASMI); Arizona Fire Chiefs Association (AFCA); Arizona Department of Health Services (AZDHS); Arizona Department of Environmental Quality (ADEQ)
Roles and Responsibilities:	<i>ADEQ-Emergency Response Unit/AZSERC</i> Supervise LEPC activities; Review emergency response plans; Receive emergency release telephone notifications; Receive emergency release notifications (follow-up written reports); Receive Tier II reports or State equivalent; Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Emails; group calls; phone calls; in-person meetings; conferences; virtual meetings
Resources and Assistance for LEPCs:	Funding; Guidance documents; Training; Response equipment
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; HMEP; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	2,200
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Warning Point/Hotline; SERC office, Email
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	Operator will assign a computer generated ADEQ Spill Report Log#, enter the date of the call, time of the call (military time), agency name, name and title of caller, phone number (include extension if applicable), value stream(s) effected, summary of message (include incident date/time/directions/address/equipment and material used/responsible party with contact information/material released/chemical name/quantity released/agencies notified/Was

	NRC called (obtain report #) and County. Action taken, Type of spill Code (see legend), type the word "open" under the open/close tab to indicate the call is open, National Response Center # and first initial last name of the person who handled the message, enter a number 1 under the VS contacted, enter a number 1 under the county affected. Value Stream individual(s) who are contacted regarding the spill and/or incident will receive an email from Trello indicating they have a message to check the spill log. If no further action is necessary enter what happened in the open/close column (such as, inspector sent, no further action required, matter closed, etc.)
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	4,152
<i>Reporting Software:</i>	State-developed online tool; Requires electronic reporting
<i>One-stop filing:</i>	Yes
<i>AWIA Section 312 Requirements Established:</i>	N/a
<i>Tier II Filing Fee:</i>	Yes
Public Access to EPCRA Information (EPCRA Section 324):	Refer to Records Center
<i>Fee for processing requests:</i>	Records Center rates

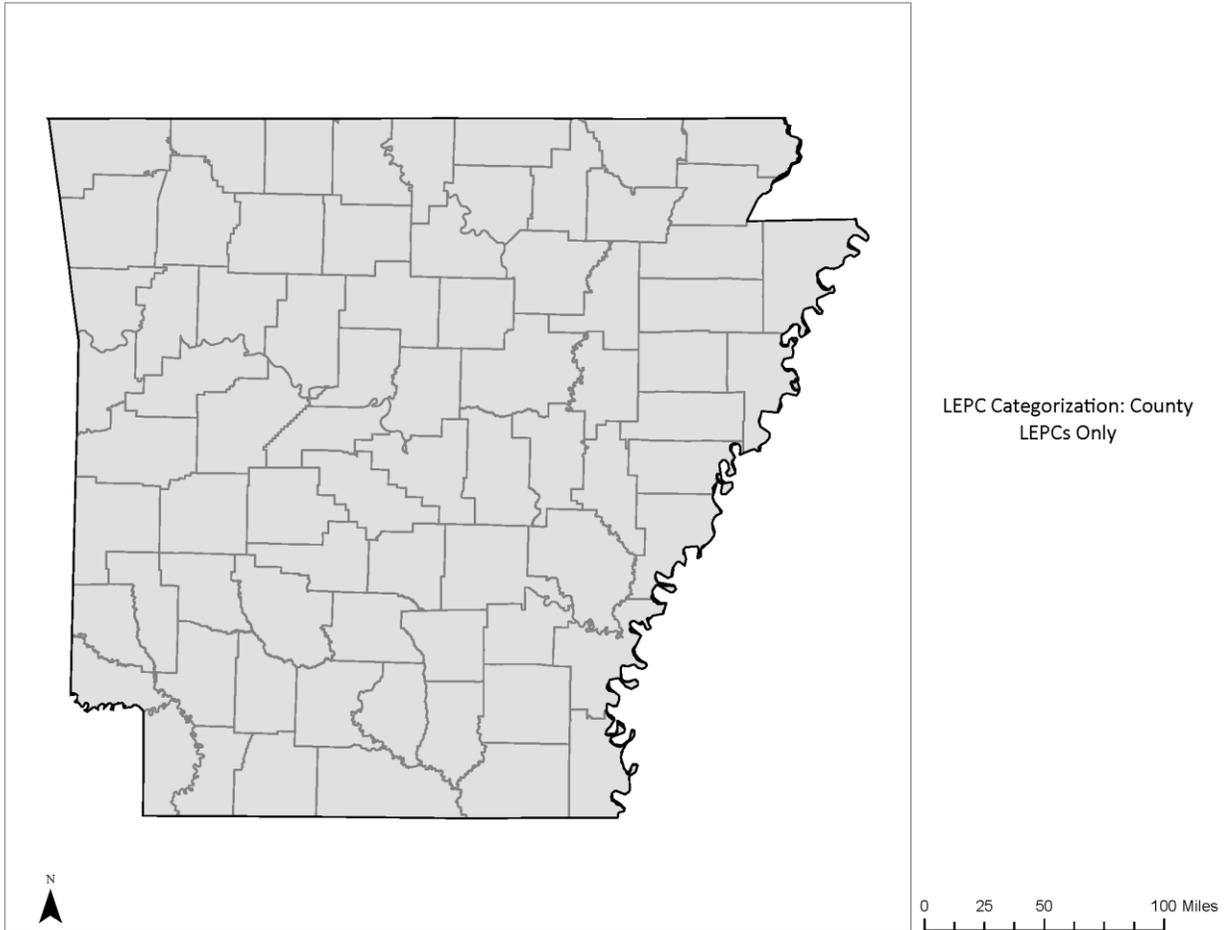




Arkansas

Commission Name:	Arkansas State Emergency Response Commission
Legal Basis:	State Law
Commission Chairs:	Rotates, SERC Chair is elected by its members annually/periodically
SERC Members:	Department of Health; Department of Environmental Quality; State Police; Department of Emergency Management (ADEM); Department of Labor; Fire Training Academy; Department of Transportation; Adjutant General; One (1) individual representing the local emergency planning committees; Two (2) individuals from regulated entities; One (1) individual from an unregulated entity with knowledge of the Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. §11001 et seq; One (1) private citizen to represent the public at large
Roles and Responsibilities:	<i>ADEM</i> Review emergency response plans; Receive emergency release telephone notifications; Receive emergency release notifications (follow-up written reports); Receive Tier II reports or State equivalent; Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized emails; Group emails
Resources and Assistance for LEPCs:	Training
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	672
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Warning Point/Hotline
AWIA Section 304 Requirements Established:	Direct notification of State Drinking Water Primary Agency
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	3,184
Reporting Software:	TIER II MANAGER™; Tier2 Submit
One-stop filing	Yes
Tier II Filing Fee:	Yes
AWIA Section 312 Requirements Established:	N/a

Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
Fee for processing requests:	None



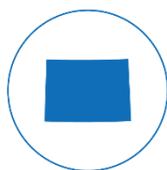


California

Commission Name:	California State Emergency Response Commission/Chemical Emergency Planning and Response Commission
Legal Basis:	Governor's Executive Order
Commission Chairs:	California Governor's Office of Emergency Services (Cal OES)
SERC Members:	Cal OES; California Environmental Protection Agency (CalEPA); Tribal Emergency Response Committee (TERC); US EPA; California Department of Transportation (CalTrans); California Department of Consumer Affairs; California Better Business Bureau; California Department of Food and Agriculture; California Department of Industrial Relations; California Health and Human Services; LEPC Regions 1-6
Roles and Responsibilities:	Not provided
Average Number of SERC Meetings Held Annually:	1
Communication with LEPCs:	Personalized emails; group emails; phone calls; quarterly in-person meetings
Resources and Assistance for LEPCs:	Support
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	None
Emergency Planning Notification Requirements (EPCRA Section 302):	State Program - California Accidental Release Prevention Program (CalARP) covers additional chemicals; lower thresholds
Number of EHS Planning Facilities in CY20:	2,044
Emergency Release Notification Requirements (EPCRA Section 304):	State Program - any hazardous substance spill
Release Notification System:	State Warning Point/Hotline, 911, Certified Unified Program Agency (CUPA)
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	State warning center call down list.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program – lower reporting thresholds; require electronic reporting
Number of Facilities Reported in CY 2020:	226,201
Reporting Software:	California Environmental Reporting System
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	At local level
AWIA Section 312 Requirements Established:	N/a

Public Access to EPCRA Information (EPCRA Section 324)	At local level
Fee for processing requests:	At local level

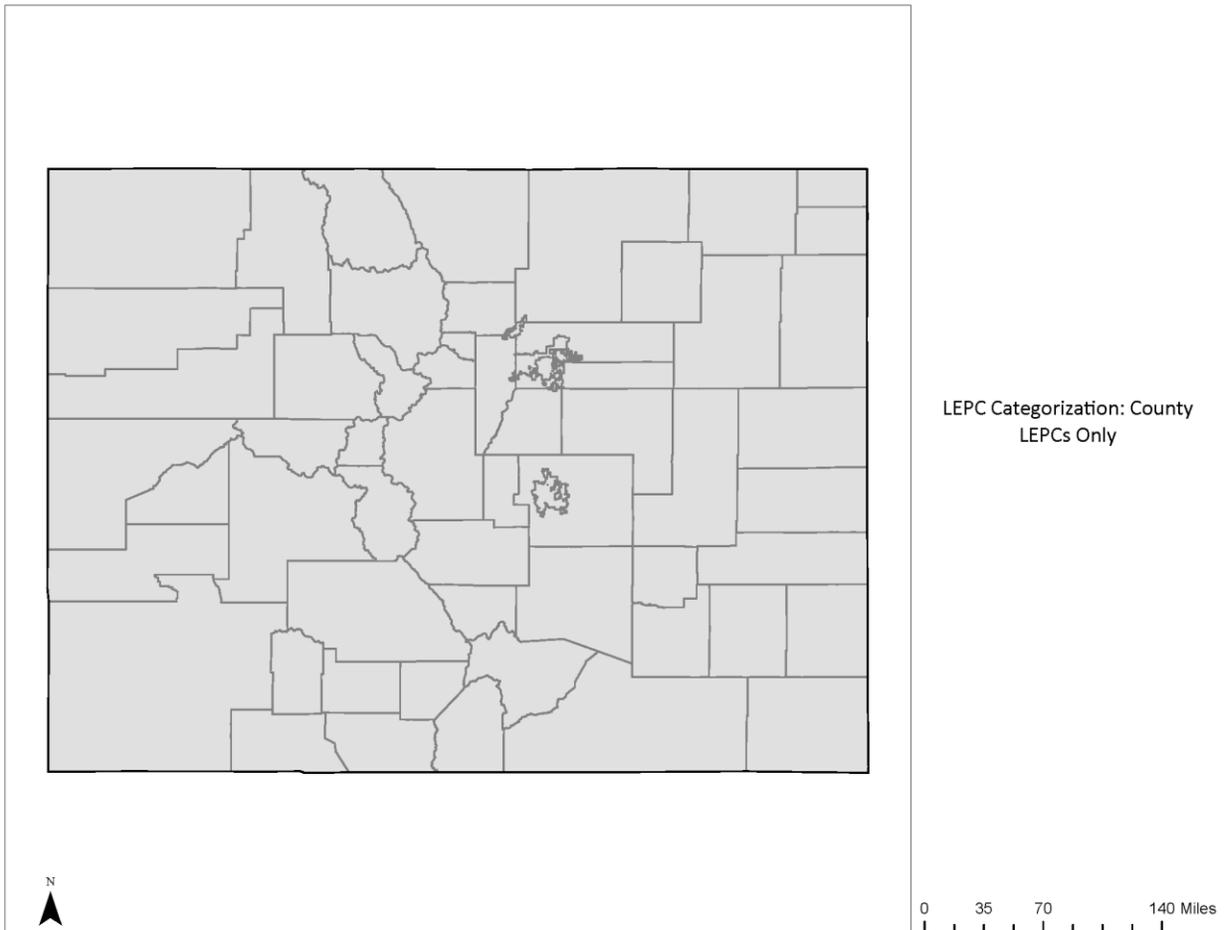




Colorado

Commission Name:	Colorado Emergency Planning Commission
Legal Basis:	State law
Commission Chairs:	Office of Emergency Management, Colorado Department of Public Health and Environment (CDPHE)
SERC Members:	Department of Public Safety, Division of Homeland Security and Emergency Management (DHSEM); Department of Public Safety, Division of Fire Prevention and Control; Department of Public Safety, Colorado State Patrol (hazardous materials response); Department of Local Affairs, Division of Local Government; Department of Public Health and Environment, Office of Emergency Preparedness and Response; Two representatives of local government; Two public interest representatives; One local emergency planning committee representative; Two representatives of industry affected by EPCRA
Roles and Responsibilities:	<i>SERC</i> Supervise LEPCs and their activities
	<i>DHSEM</i> Review community all-hazards plans
	<i>CDPHE</i> Receive emergency release notifications (initial telephone notification); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>SERC, CDPHE & LEPCs</i> Receive emergency release notifications (follow-up written reports)
	<i>SERC & individual LEPCs</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	6
Communication with LEPCs:	Personalized and group emails; phone calls; annual conference; in-person meetings
Resources and Assistance for LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities; Community based risk and capabilities assessments
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,574
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Warning Point/Hotline

<i>Follow-up Reports Tracking:</i>	No
<i>AWIA Section 304 Requirements Established:</i>	Water systems are instructed to contact their local 911 dispatch centers, so they receive immediate reports directly.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	11,309
<i>Reporting Software:</i>	Tier2 Submit
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; conferences; trade associations
<i>AWIA Section 312 Requirements Established:</i>	Community water systems are instructed to join their local and source water area LEPCs.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access; provide the data electronically
<i>Fee for processing requests:</i>	No



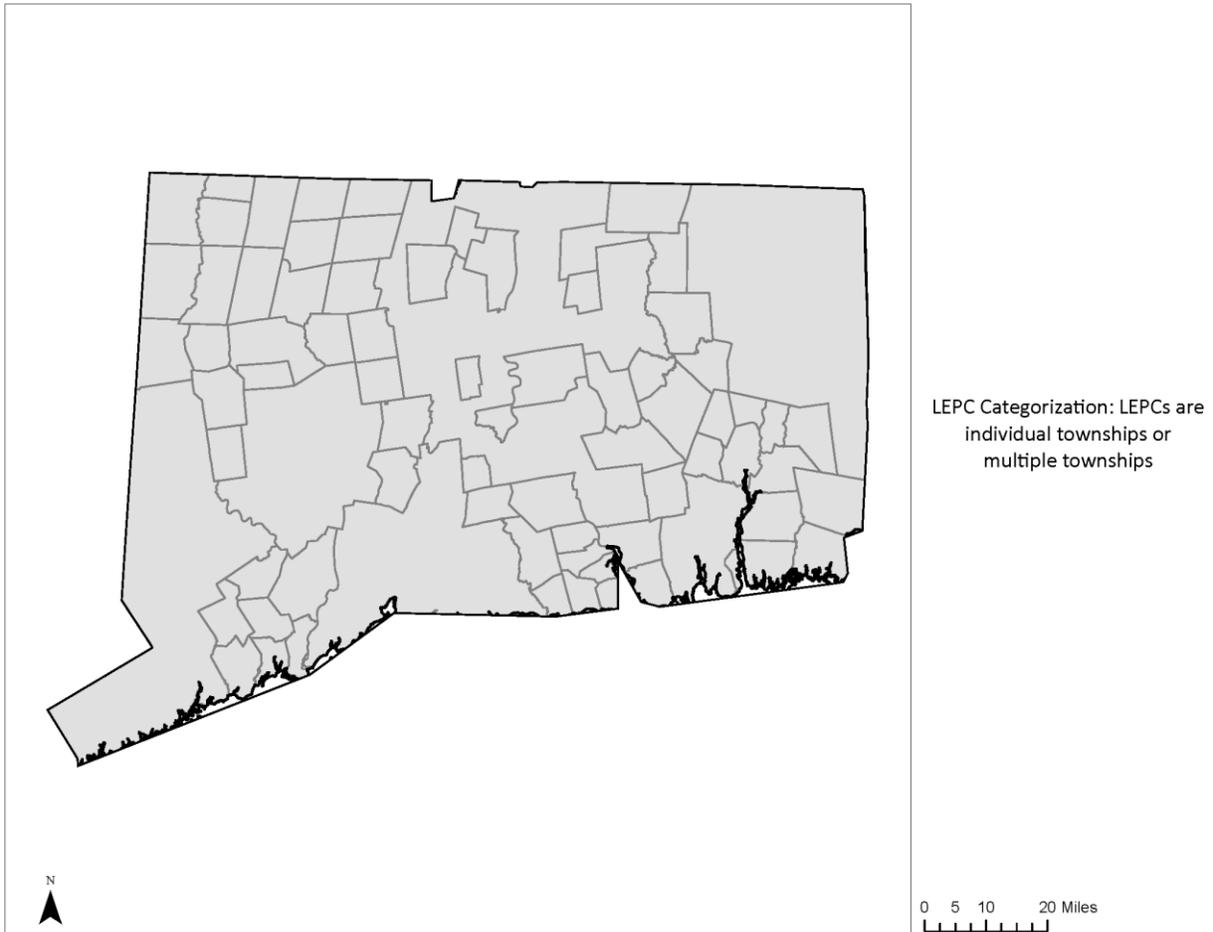


Connecticut

Commission Name:	Connecticut State Emergency Response Commission
Legal Basis:	State law
Commission Chair:	Facility representative appointed by Governor; assisted by CT Department of Energy and Environmental Protection
SERC Members:	Department of Energy and Environmental Protection; Department of Emergency Services and Public Protection; Department of Public Health; State Fire Administrator; State Fire Marshal; CT Department of Transportation; Department of Labor; Office of Policy and Management; Military Department; Municipal Fire Department Fire Chief; Volunteer Fire Department Fire Chief; 3 representatives of facility owners or operators; 4 members of the public
Roles and Responsibilities:	<i>Department of Energy and Environmental Protection manages all the following:</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive hazardous chemical inventories (Tier II or State equivalent); Receive emergency release notifications (follow-up written reports); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	5-6
Communication with LEPCs:	Group email
Resources and Assistance for LEPCs:	Training
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,304
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Warning Point/Hotline
Follow-up Reports Tracking:	None
AWIA Section 304 Requirements Established:	Currently, manual notifications. Moving to Hazconnect ^{®39} automated notifications in 2022.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	2,330
Reporting Software:	Tier2 Submit
One-stop Filing:	Planned for Reporting Year 2022

³⁹ Some states use Hazconnect® TIER II MANAGER™ System as their reporting software for facilities to submit their annual Tier II reports.

<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Support EPA in webinars
<i>AWIA Section 312 Requirements Established:</i>	Provided electronically upon request.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
<i>Fee for processing requests:</i>	No





Delaware

Commission Name:	Delaware State Emergency Response Commission
Legal Basis:	State law
Commission Chair:	Secretary of the Department of Safety and Homeland Security
SERC Members:	Delaware Department of Safety and Homeland Security (DSHS); Delaware Department of Transportation (DelDOT); Delaware State Police (DSP); Delaware Emergency Management Agency (DEMA); Delaware Department of Natural Resources and Environmental Control (DNREC); Delaware State Fire Marshal; Delaware Division of Public Health (DPH); Delaware State Fire School (DSFS); Delaware State Fire Prevention Commission; Industry Representing Rail Transportation; Industry Representing Air Transportation; Industry Representing Highway Transportation; Industry Representing Water Transportation; Industry Representing Shippers; Industry Representing Chemical; Industry Representing Consignees; Delaware Volunteer Firefighters Association (DVFA); City of Wilmington LEPC; New Castle County LEPC; Kent County LEPC; Sussex County LEPC
Roles and Responsibilities:	<i>DEMA</i> Supervise LEPCs and their activities
	<i>Planning and Training Committee</i> Review emergency response plans
	<i>DNREC, Community Emergency Coordinator</i> Receive emergency release notifications (initial telephone notification)
	<i>DNREC, Relevant LEPC</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>DNREC via Centralized Online Reporting System</i> Receive emergency release notifications (follow-up written reports)
	<i>Relevant LEPC (general public request), DNREC EPCRA Reporting Program (FOIA requests)</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; quarterly in-person meetings
Resources & Assistance for LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Outreach to facilities
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	State appropriated funds; HMEP grant; Tier II filing fees

Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
<i>Number of EHS Planning Facilities in CY20:</i>	295
Emergency Release Notification Requirements (EPCRA Section 304):	State program – additional chemicals
<i>Release Notification System:</i>	State Warning Point/Hotline
<i>Follow-up Reports Tracking:</i>	Spreadsheet
<i>AWIA Section 304 Requirements Established:</i>	The DERNS application allows for users to sign-up to receive notices when releases are reported. Our State Drinking Water Primacy Agency contacts are signed up as designated recipients. For written follow-up reports, those folks are included in the email list of recipients for those reports. (When written reports are received, those reports are scanned and distributed to a set user list via email.)
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Requires lower threshold reporting; electronic reporting; and reporting fees
<i>Number of Facilities Reported in CY 2020:</i>	2,563
<i>Reporting Software:</i>	TIER II MANAGER™
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Webinars; mass email; phone calls; direct mailings
<i>AWIA Section 312 Requirements Established:</i>	Provide data exported from system in excel format, as requested.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
<i>Fee for processing requests:</i>	No

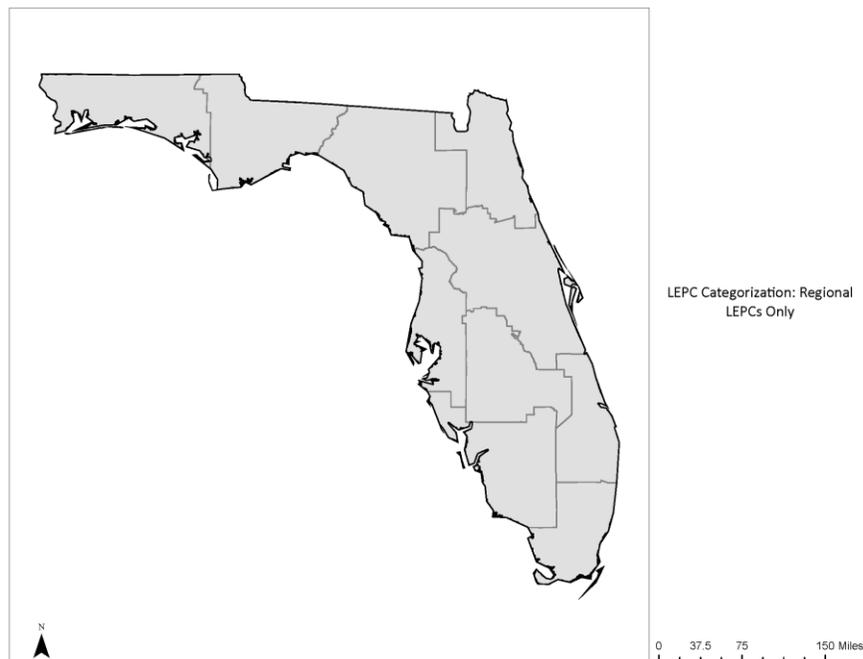




Florida

Commission Name:	Florida State Emergency Response Commission
Legal Basis:	Governor’s Executive Order
Commission Chair:	Florida Division of Emergency Management (FDEM), Director
SERC Members:	Florida Department of Environmental Protection; Florida Department of Emergency Management (FDEM); Florida Department of Transportation; Florida Department of Highway Safety and Motor Vehicles, Division of Florida Highway Patrol; Florida Department of Law Enforcement; Florida Department of Agriculture and Consumer Services; Florida Department of Health; Executive Office of the Governor; Florida Fire Chiefs Association; Florida Association of Counties; Florida League of Cities; Florida Regional Planning Councils Association; Florida Emergency Preparedness Association; Florida Department of Financial Services, Division of State Fire Marshal; Florida Minerals and Chemistry Council; Associated Industries of Florida; Florida Chamber of Commerce; Florida Professional Firefighters; Department of Economic Opportunity; Chair of the Local Emergency Response Commission; Two members representing public interest, environmental or consumer organizations; One member representing the Phosphate Industry; One member representing the Petroleum Industry; One member representing the Agriculture Industry; One member representing the Utility Industry; One member representing the Transportation Industry; One member representing Space Florida
Roles and Responsibilities:	<i>SERC, FDEM Technological Hazards Unit (staff)</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>SERC, FDEM State Watch Office</i> Receive emergency release notifications (initial telephone notification)
	<i>SERC, FDEM Legal Unit (staff)</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; quarterly in-person meetings; annual hazmat symposium
Resources and Assistance for LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Outreach to facilities; Onsite facility inspections

Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	State appropriated funds; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	3,500
Emergency Release Notification Requirements (EPCRA Section 304):	Requires additional reporting to federal requirement
Release Notification System:	State Warning Point/Hotline; 911
Follow-up Reports Tracking:	Online database
AWIA Section 304 Requirements Established:	Online database
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	12,987
Reporting Software:	E-Plan; Requires electronic reporting
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars, mass email, phone calls
AWIA Section 312 Requirements Established:	The Water facilities and the State Source and Drinking Water Unit within the Florida Department of Environmental Protection have access to the on-line database described above.
Public Access to EPCRA Information (EPCRA Section 324)	Provide the data electronically
Fee for processing requests:	Yes, \$1.00/page

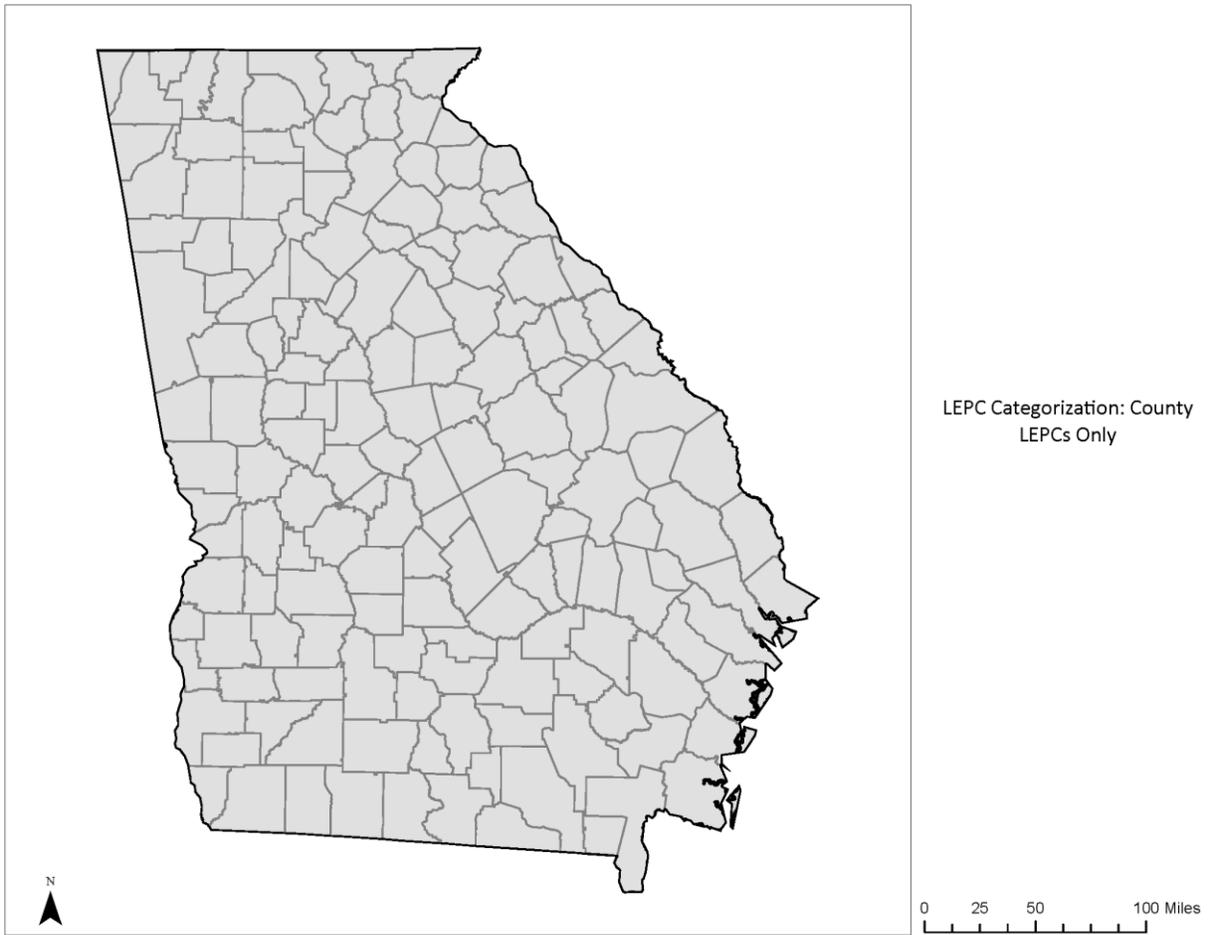




Georgia

Commission Name:	Georgia State Emergency Response Commission
Legal Basis:	State Law (Georgia Emergency Management Act of 1981) and Governor's memo/letter
Commission Chair:	Georgia Environmental Protection Division
SERC Members:	Georgia Environmental Protection Division (GA EPD), Georgia Emergency Management and Homeland Security Agency (GEMA/HS)
Roles and Responsibilities:	<i>GEMA/HS</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports); Receive and process public requests for EPCRA information
	<i>GA EPD</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>State Warning Point (GEMA/HS & GA EPD)</i> Receive emergency release notifications (initial telephone notification)
Average Number of SERC Meetings Held Annually:	0
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences
Resources & Assistance for LEPCs:	Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	Federal grant: HMEP Training and Planning
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	3,028
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Warning Point/Hotline
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	The state warning point receives notification. Clarifying direct notification to EPD Watershed Branch.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	5,261
Reporting Software:	E-Plan
One-stop Filing:	Yes, but require separate submission to the fire department
Tier II Filing Fee:	No

<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; direct mailings
<i>AWIA Section 312 Requirements Established:</i>	We encourage a representative of the community water system join the LEPC. The SERC will conduct outreach to inform them they can contact the SERC directly for Tier II reports if no LEPC operates locally.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
<i>Fee for processing requests:</i>	None

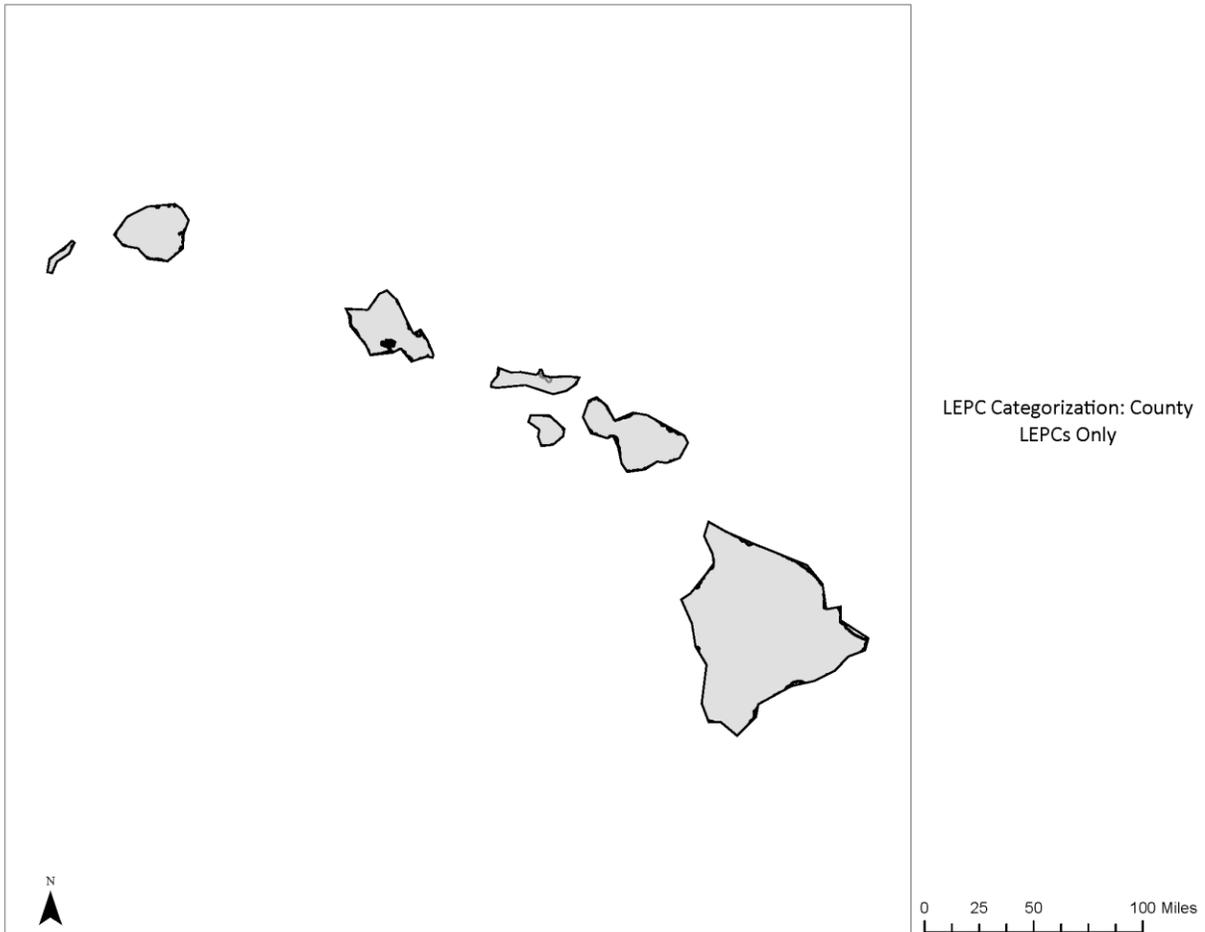




Hawaii

Commission Name:	Hawaii State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Deputy Director of Environmental Health
SERC Members:	Hawaii Director of Health, State of Hawaii; Hawaii Director of Agriculture; Hawaii Emergency Management Agency; Hawaii Department of Labor and Industrial Relations, Director; Hawaii Department of Business Economic Development and Tourism; Hawaii Department of Transportation, Director; Office of Public Health Studies, Universities of Hawaii; Local Emergency Planning Committee, Counties; General Public
Roles and Responsibilities:	<i>Hazard Evaluation and Emergency Response (HEER)</i> Supervise LEPCs and their activities; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>County Departments</i> Review emergency response plans
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; quarterly in-person meetings; virtual meetings
Resources & Assistance for LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities; Onsite facility inspections
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	Federal grant: HMEP; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	State program - lower threshold quantities
Number of EHS Planning Facilities in CY20:	907
Emergency Release Notification Requirements (EPCRA Section 304):	Requires reporting for additional substances
Release Notification System:	State Warning Point/Hotline; SERC office
Follow-up Reports Tracking:	Database
AWIA Section 304 Requirements Established:	If there is a release that occurs near a drinking water well, we notify the Safe Drinking Water Branch.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	More stringent requirements than federal program with lower reporting threshold quantities
Number of Facilities Reported in CY 2020:	907

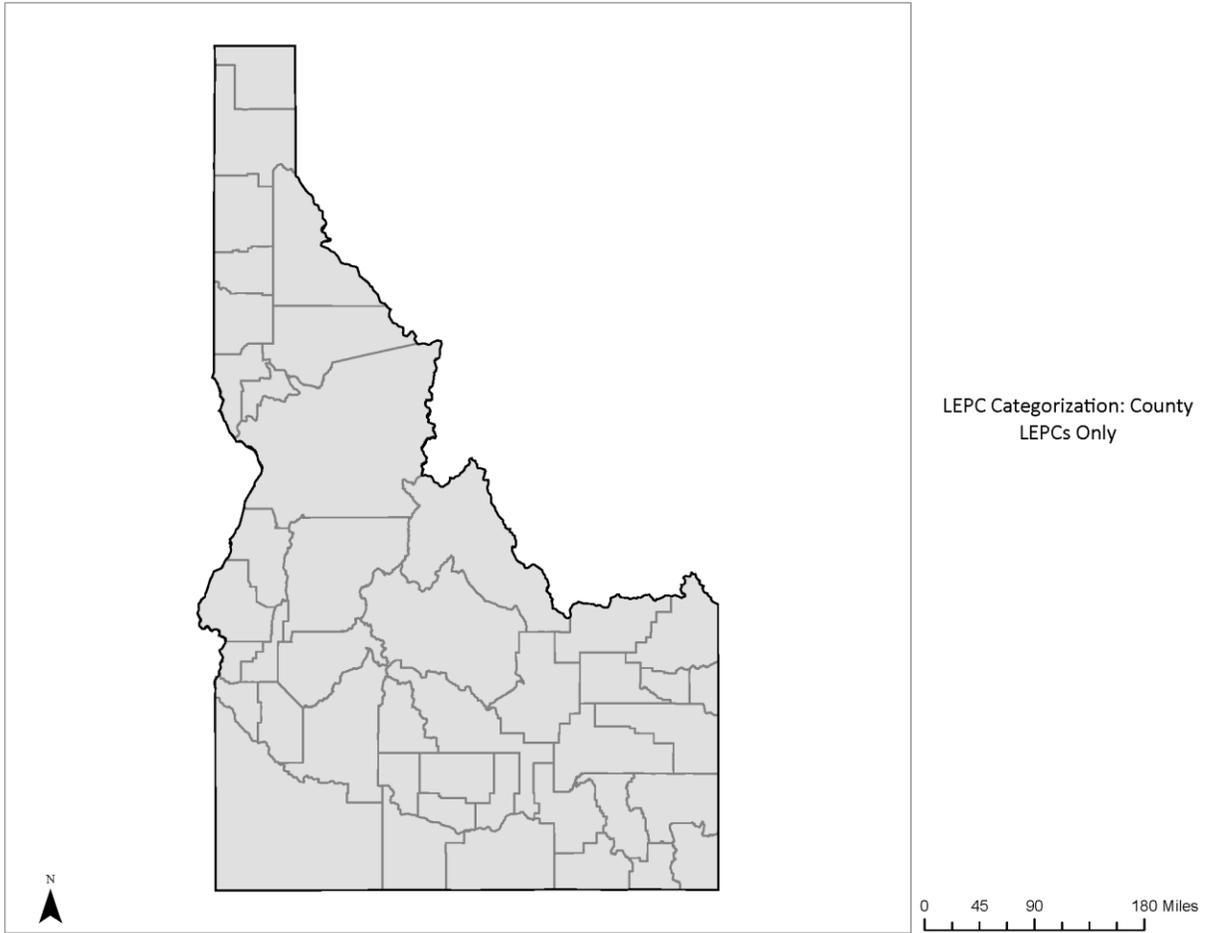
<i>Reporting Software:</i>	Tier2 Submit
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Direct mailings; newspaper ads
<i>AWIA Section 312 Requirements Established:</i>	N/a
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically; postal mail; discs
<i>Fee for processing requests:</i>	\$0.05/page; \$5/disc





Idaho

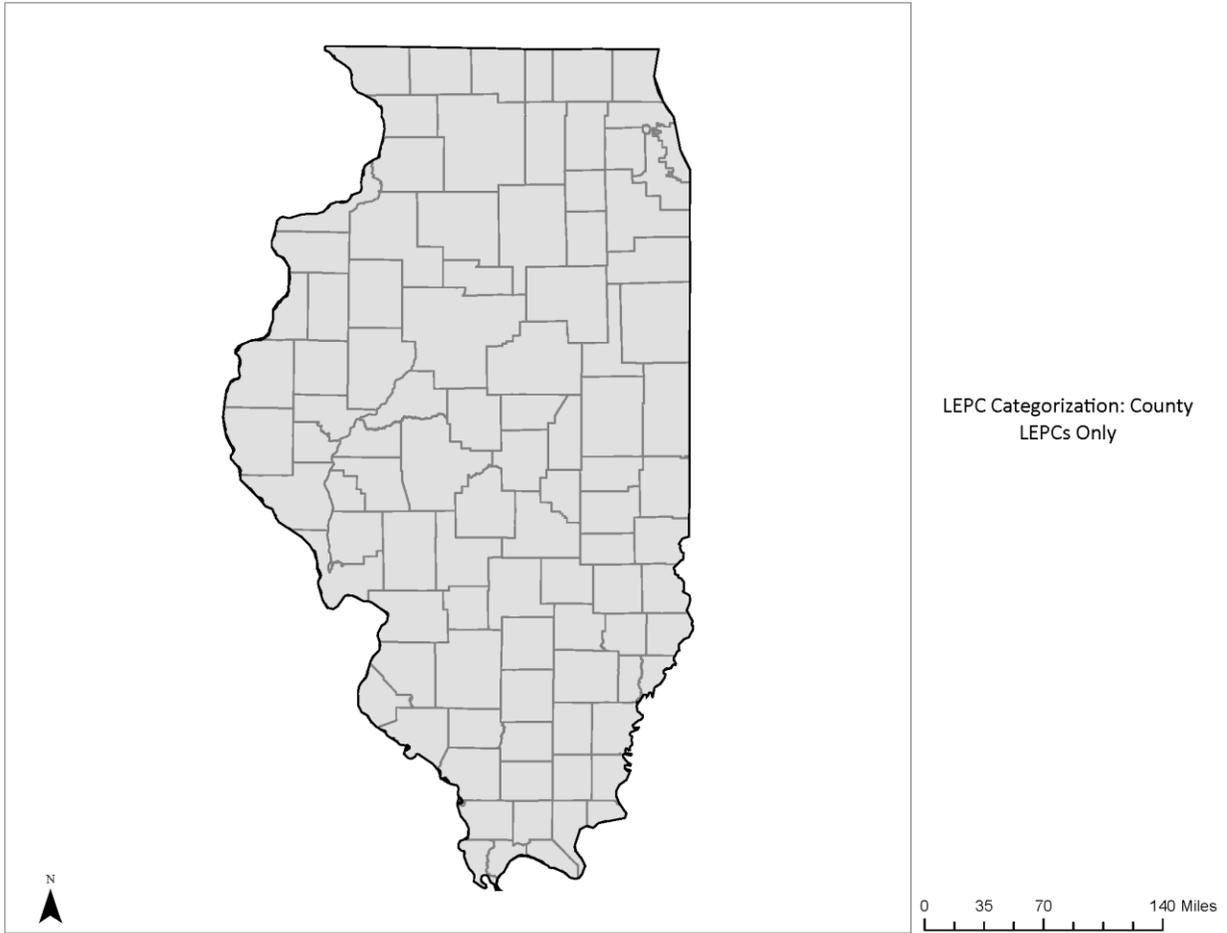
Commission Name:	Idaho State Emergency Response Commission
Legal Basis:	State law
Commission Chair:	Idaho Office of Emergency Management HazMat Regulatory Compliance Manager
SERC Members:	Idaho Office of Emergency Management
Roles and Responsibilities:	Not provided
Average Number of SERC Meetings Held Annually:	0
Communication with LEPCs:	Personalized and group emails; phone calls
Resources & Assistance to LEPCs:	Technical assistance; Community risk communication; Guidance documents; Outreach to facilities; Onsite facility inspections
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	Not provided
Emergency Planning Notification Requirements (EPCRA Section 302):	Not provided
Number of EHS Planning Facilities in CY20:	665
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Communications – 24/7/365 staffed interagency dispatch center
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	State Communications notification distribution list for written transcript of call.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	1,224
Reporting Software:	Tier2 Submit
One-stop Filing:	Yes
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Mass email; phone calls
AWIA Section 312 Requirements Established:	Provided as requested.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically & postal mail
Fee for processing requests:	None





Illinois

Commission Name:	Illinois State Emergency Response Commission
Legal Basis:	State law
Commission Chair:	Illinois Emergency Management Agency (IEMA)
SERC Members:	IEMA
Roles and Responsibilities:	<i>IEMA</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	12
Communication with LEPCs:	Phone calls; in-person meetings; conferences
Resources & Assistance for LEPCs:	Guidance documents; Training; Outreach to facilities
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	Federal HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	3,524
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline/Warning Point
Follow-up Reports Tracking:	None
AWIA Section 304 Requirements Established:	WEB EOC System.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	8,553
Reporting Software:	TIER II MANAGER™ online reporting system
One-stop Filing:	No
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Mass email; phone calls; conferences
AWIA Section 312 Requirements Established:	Provided as requested.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
Fee for processing requests:	No

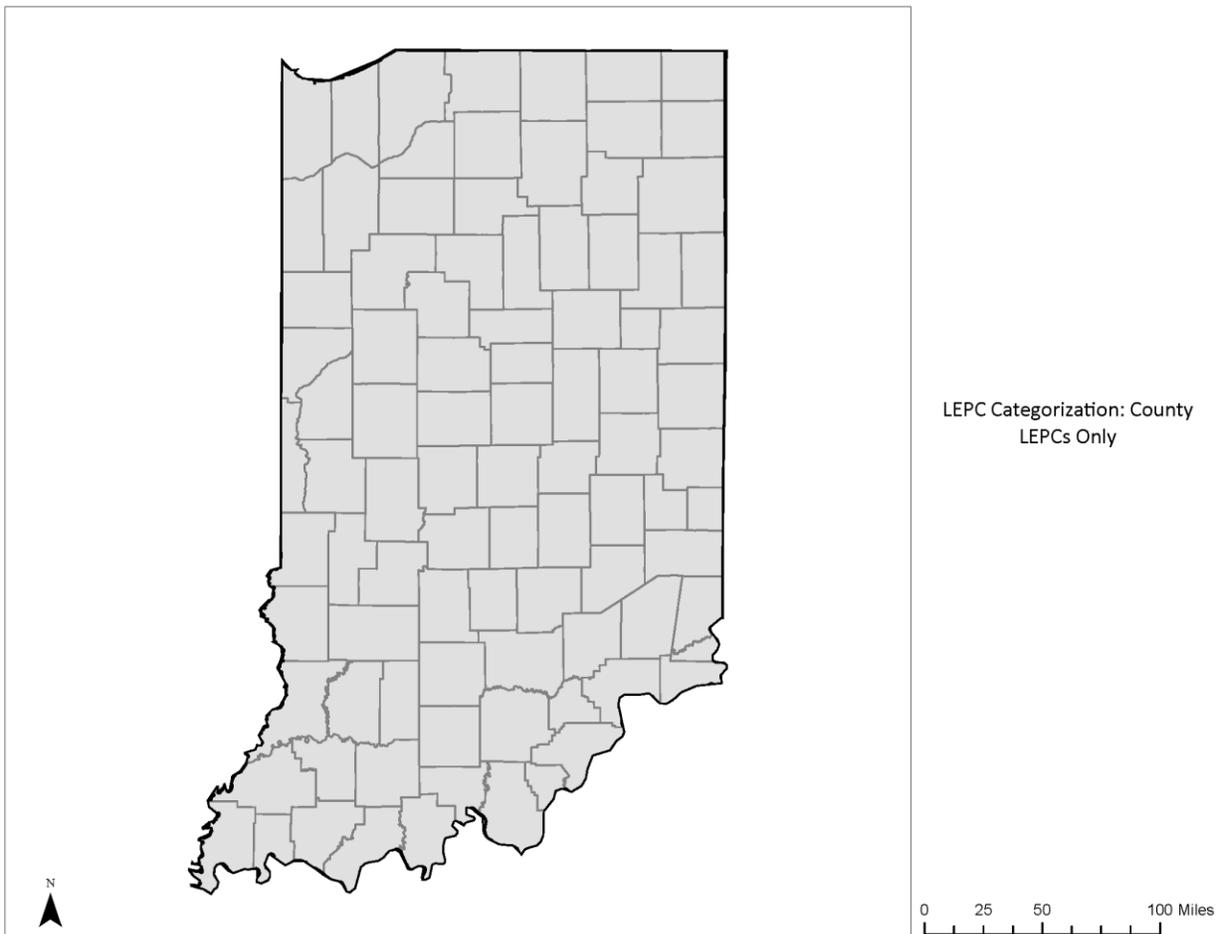




Indiana

Commission Name:	Indiana State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Indiana State Fire Marshall
SERC Members:	Indiana Department of Homeland Security (IDHS); Indiana Department of Environmental Management (IDEM); Indiana State Police; Indiana State Fire Marshal; Marion County Health; Gibson County Emergency Management; VSG: A Dover Company; Eli Lilly and Company; County Jail; Public Representatives
Roles and Responsibilities:	IDHS Supervise LEPCs and their activities; Review emergency response plans; Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	IDEM Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
Average Number of SERC Meetings Held Annually:	5
Communication with LEPCs:	Personalized and group emails; phone calls; in-person meetings; virtual meetings
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents; Training
Tribal Representatives SERC/LEPC:	None
Sources of Funding:	State appropriated funds; Federal HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	3,250
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline/Warning Point; 911
Follow-up Reports Tracking:	TIER II MANAGER™
AWIA Section 304 Requirements Established:	We have added a process to TIER II MANAGER™ because we already had an incident reporting feature on the system. We are currently in the testing phase and hope to go live by the end of 2021
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	6,716
Reporting Software:	TIER II MANAGER™ online reporting system

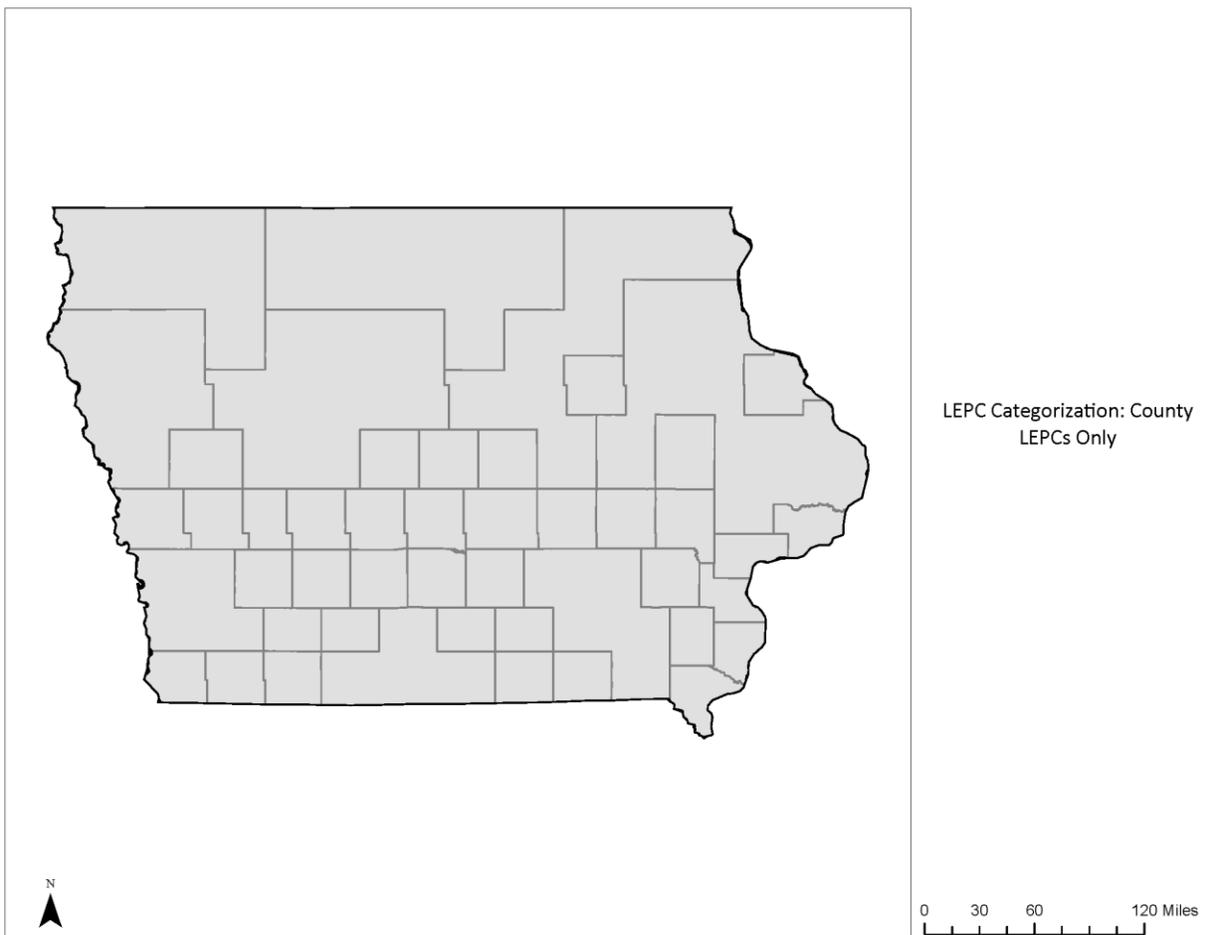
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Webinars; mass email
<i>AWIA Section 312 Requirements Established:</i>	The water systems will be able to access the incident reports filed onto Tier II or can contact IDEM or IDHS for the spill information.
Public Access to EPCRA Information (EPCRA Section 324):	Provide the data electronically
<i>Fee for processing requests:</i>	No

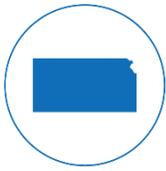




Commission Name:	Iowa Department of Homeland Security and Emergency Management (HSEMD) and the Iowa Department of Natural Resources (DNR) are responsible for carrying out the responsibilities of the SERC
Legal Basis:	Disbanded in 2017
Commission Chair:	Iowa Homeland Security and Emergency Management
SERC Members:	Iowa Homeland Security and Emergency Management; Iowa Department of Natural Resources
Roles and Responsibilities:	<i>HSEMD</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>DNR</i> – Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or state equivalent)
	<i>LEPCs, DNR</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	0
Communication with LEPCs:	Personalized and group emails
Resources & Assistance to LEPCs:	Guidance documents; Outreach to facilities
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	HMEP
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,693
Emergency Release Notification Requirements (EPCRA Section 304):	Requires reporting for additional substances
Release Notification System:	State Warning Point/Hotline
Follow-up Reports Tracking:	Hazardous substance incident tracking database
AWIA Section 304 Requirements Established:	The Iowa DNR is the state primacy agency. When an incident is reported staff evaluate risks to water system and make notification if appropriate.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	4,578
Reporting Software:	E-Plan
One-stop Filing:	No
Tier II Filing Fee:	No

<i>Outreach to Facilities for Compliance:</i>	Webinars; mass email, phone calls; conferences; trade associations; notification to county emergency management agencies
<i>AWIA Section 312 Requirements Established:</i>	PWS/CWS that request access to the Tier II system are granted access. If they prefer the department supply them with a report of facilities submitting Tier II reports we can accommodate that as well. We also have geographical mapping tools that indicates Tier II facility locations in relation to PWS/CWS source water capture zones.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; provide the data electronically; postal mail
<i>Fee for processing requests:</i>	None

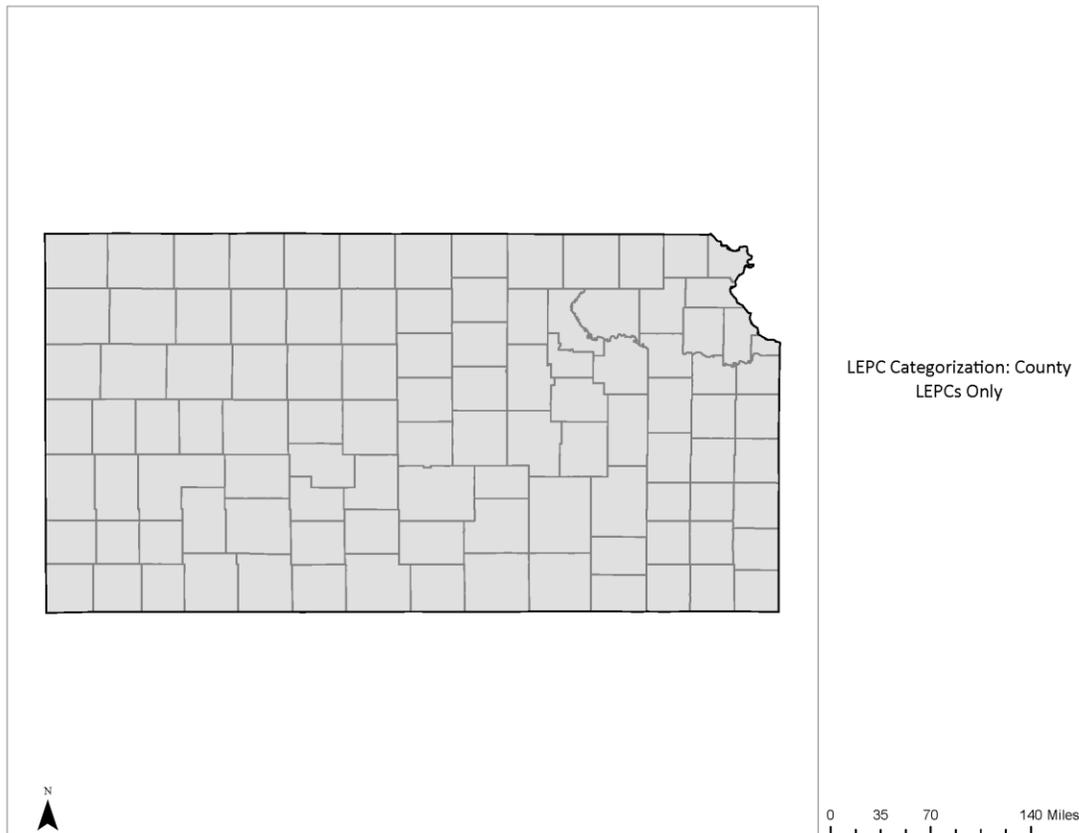




Kansas

Commission Name:	Kansas Commission on Emergency Planning & Response (CEPR)
Legal Basis:	State Law
Commission Chair:	Kansas Commission on Disability Concerns
SERC Members:	Homeland Security Councils; Kansas Fire Marshall’s Office, Firefighters; Kansas Department of Transportation; Kansas Department of Health and Environment; Kansas Adjutant General; Kansas Department of Commerce; Kansas Bureau of Investigation; Kansas Department of Agriculture; Kansas Highway Patrol; Counties Representative; Business/Industry Representative (Broadcasting); Business/Industry Representatives; Agriculture, Crop, or Livestock Representative; Transportation, Trucking, and Rail; Law Enforcement Officers Representative; County Emergency Managers Representative; Emergency Services Representative; Public Works Services Representative; Hospitals Representative; Public Health Representative; Tribes of Kansas Representative
Roles and Responsibilities:	<i>Kansas Division of Emergency Management</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports)
	<i>Kansas Department of Health and Environment</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>Kansas Division of Emergency Management/ Kansas Department of Health and Environment</i> Receive emergency release notifications (initial telephone notification)
	<i>Varies based on who receives request</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls
Resources & Assistance for LEPCs:	General support and guidance for overall emergency management activities
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,978
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program

<i>Release Notification System:</i>	State Hotline/Warning Point
<i>Follow-up Reports Tracking:</i>	Database
<i>AWIA Section 304 Requirements Established:</i>	Kansas Department of Health and Environment (KDHE), Spills Response Program, makes internal notification to KDHE Bureau of Water regarding hazardous materials releases that have or will impact public water supplies; KDHE Bureau of Water makes the appropriate notification to public water supplies that have been or will be impacted so that they may begin to initiate emergency protective measures as needed.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	21,021
<i>Reporting Software:</i>	State-developed online reporting tool; Electronic reporting
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; conferences; trade associations; direct mailings
<i>AWIA Section 312 Requirements Established:</i>	Individual requests are emailed to the Kansas Department of Health and Environment, Right-to-Know Program at kdhe.rtk@ks.gov .
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access; provide the data electronically; postal mail; Kansas Open Records Act
<i>Fee for processing requests:</i>	None

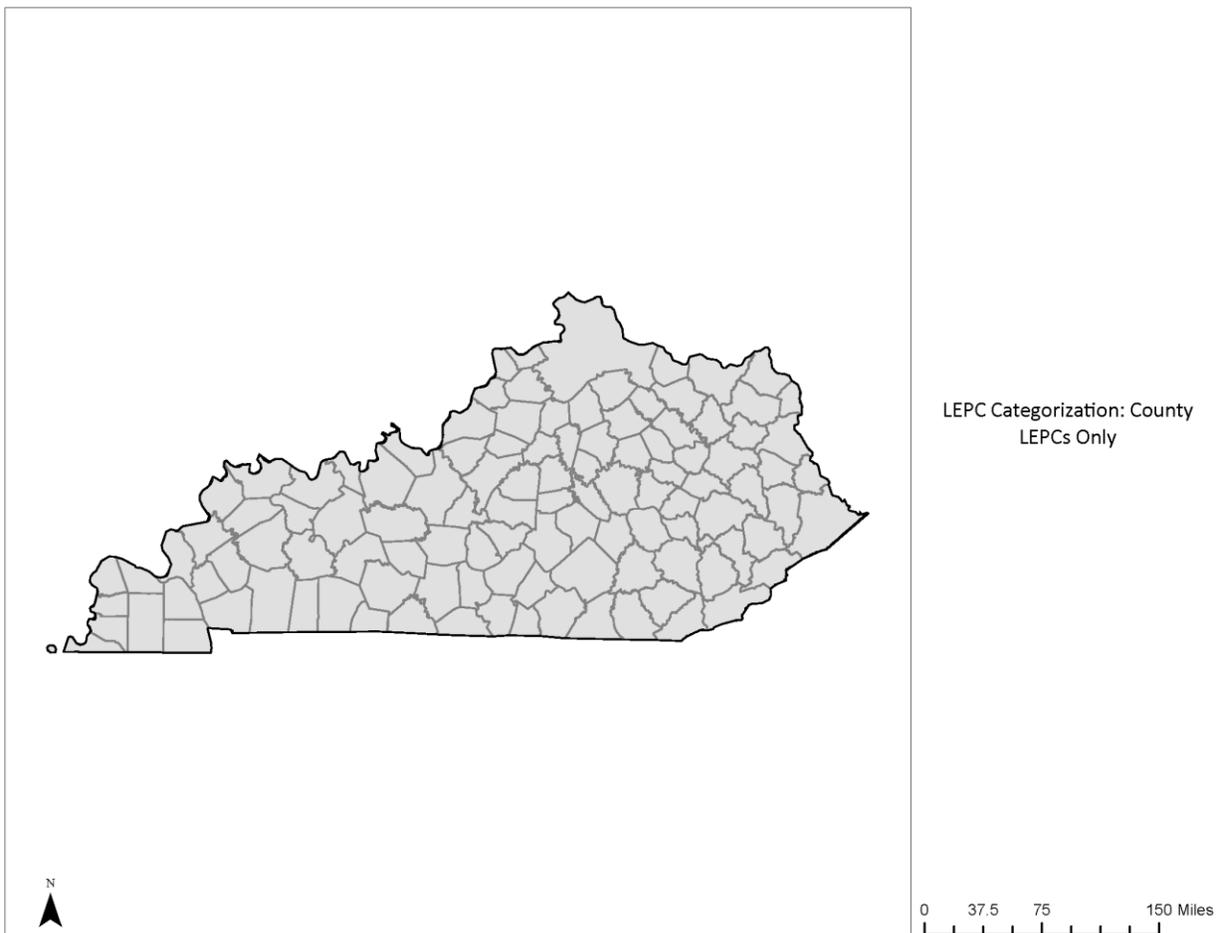




Kentucky

Commission Name:	Kentucky Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Director of the Division of Emergency Management (KY Emergency Management (KYEM))
SERC Members:	Executive Director of the Department of Military Affairs (Vice Chair); Kentucky Fire Commission Executive Director or Designee; Energy and Environment Cabinet representative; State Fire Marshal; Kentucky State Police; Attorney General’s Office; Department of Agriculture; Affected Industry representative; Local government representative; Health services representative; Environmental interest representative; Technical expertise representative
Roles and Responsibilities:	<i>KYEM</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or state equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	6
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; annual Governor’s Emergency Management Workshop (GEMW); annual training
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents; Training
Tribal Representatives SERC/LEPC:	None
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Includes additional questions regarding EHS locations, delivery routes, supplier, exercises, and training program
Number of EHS Planning Facilities in CY20:	1,253
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline/Warning Point, SERC office
Follow-up Reports Tracking:	TIER II MANAGERTM online reporting system
AWIA Section 304 Requirements Established:	The affected jurisdiction notifies the Kentucky State Warning Point (SWP) regarding the release. The SWP point then notifies the Kentucky Department of Health, the Kentucky Energy and Environment Cabinet, the Kentucky Public Service Commission, and the Kentucky Transportation Cabinet.

Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program - requires electronic reporting; additional reporting questions on EHS locations, delivery routes, supplier, exercises, and training program
Number of Facilities Reported in CY 2020:	5,650
Reporting Software:	TIER II MANAGER™ online reporting system
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; phone calls; conferences
AWIA Section 312 Requirements Established:	Create account in TIER II MANAGER™.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; provide the data electronically; postal mail
Fee for processing requests:	None

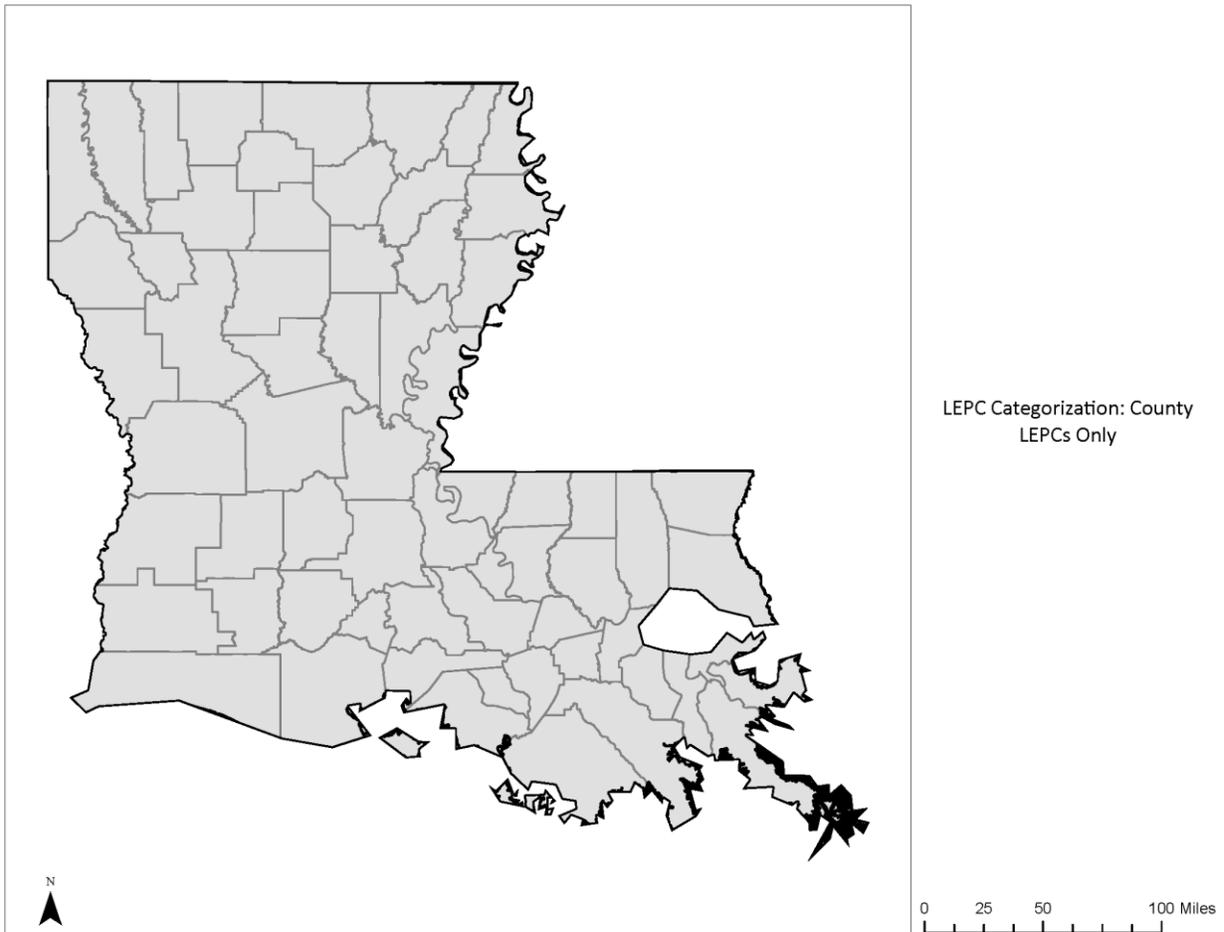




Louisiana

Commission Name:	Louisiana Emergency Response Commission
Legal Basis:	State Law and Governor's Executive Order
Commission Chair:	Department of Public Safety
SERC Members:	Department of Public Safety; Department of Environmental Quality; Department of Agriculture and Forestry; Governor's Office of Homeland Security and Emergency Preparedness; Right-to-Know Unit, Department of Public Safety; Louisiana Emergency Preparedness Association; Louisiana State University Fire and Emergency Training Institute; Environmental Interests; Louisiana Chemical Association; Ten at-large members
Roles and Responsibilities:	<i>Right-to-Know Unit, Department of Public Safety</i> Supervise LEPCs and their activities; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (Follow-up written reports); Receive hazardous chemical inventories (Tier II or state equivalent)
	<i>Governor's Office of Homeland Security and Emergency Preparedness</i> Review emergency response plans
	<i>Right-to-Know Unit, Department of Public Safety and the Local Emergency Planning Committees</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Community risk communication; Guidance documents; Training; Outreach to facilities; Onsite facility inspections
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	State has more stringent requirements, lower threshold quantities than federal requirement
Number of EHS Planning Facilities in CY20:	11,701
Emergency Release Notification Requirements (EPCRA Section 304):	State program - additional reporting of substances
Release Notification System:	State Hotline/Warning Point; electronic notification through E-merge (third-party vendor)
Follow-up Reports Tracking:	None
AWIA Section 304 Requirements Established:	All calls received through the Hazmat Hotline are relayed to multiple agencies including the Primary Agency for State Drinking Water. They also receive copies of the written follow-up reports received.

Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program - requires electronic reporting; lower reporting threshold
<i>Number of Facilities Reported in CY 2020:</i>	17,784
<i>Reporting Software:</i>	State-developed online reporting tool
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; conferences; trade associations; direct mailings
<i>AWIA Section 312 Requirements Established:</i>	Access through E-Plan or may request directly from the LEPC.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; postal mail; pick-up at Headquarters' Building
<i>Fee for processing requests:</i>	A Tier II request for a facility is \$20 plus 25 cents per page. (multiple-facility requests must be approved on a case-by-case basis). Man-hours used to research, locate, and compile the relative information shall be billed at \$27 per hour. Hardware costs: discs are \$10; thumb drives are \$5.

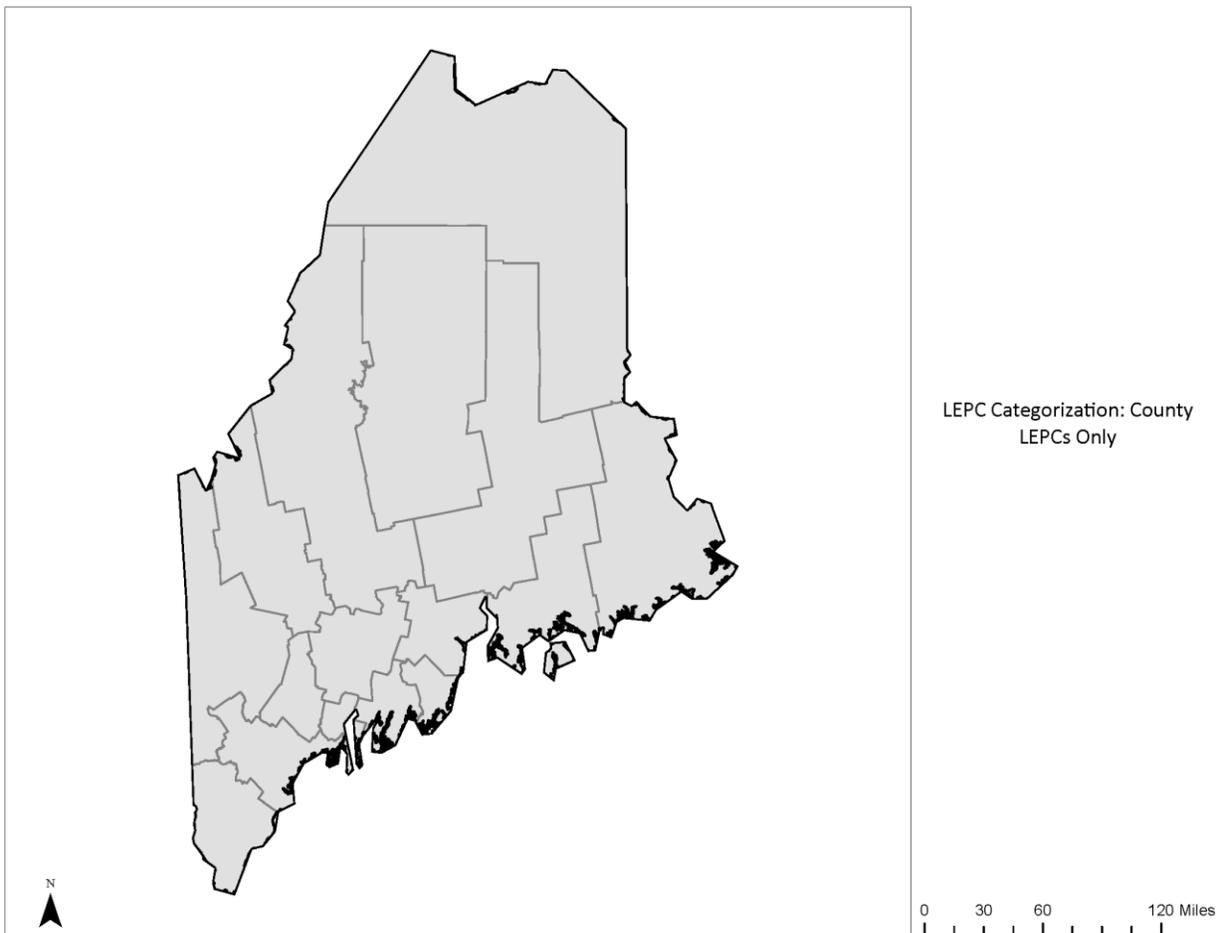




Maine

Commission Name:	Maine State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Maine Emergency Management Agency Director
SERC Members:	Maine Emergency Management Agency; Maine Dept. of Environmental Protection; Maine State Police; Maine Dept. of Transportation; Maine Emergency Medical Services; Maine Dept. of Labor; Maine Dept. of Health and Human Services; Representative of local government; Representative of Maine's Fire Chief Association; Representative of Professional Firefighters; Representative of private commerce and industry; Representative of Volunteer Firefighters; Representative of Organized Labor; Representative of an Environmental Advocacy Organization
Roles and Responsibilities:	<i>Maine Emergency Management Agency</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or state equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences
Resources & Assistance to LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities; Onsite facility inspections
Number of Tribes/TERCs:	Five tribes, unknown if any TERCs
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	554
Emergency Release Notification Requirements (EPCRA Section 304):	State program – requires reporting of all releases
Release Notification System:	911/SERC office
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	Maine has a 24-hour phone number for them and an email address to make notifications. Maine Dept. of Environmental Protection also makes notifications to the State Drinking Water Program when they respond to a spill.

	Our State Drinking Water Program also gets alerts from the NRC on any spills that get reported.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	2,642
Reporting Software:	Tier2 Submit; requires electronic reporting
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; phone calls; conferences; direct mailings
AWIA Section 312 Requirements Established:	If a water district reached out, we will provide them with the information they request but they have to reach out to the State or the County EMA for that information.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	Hard copy \$.10/page

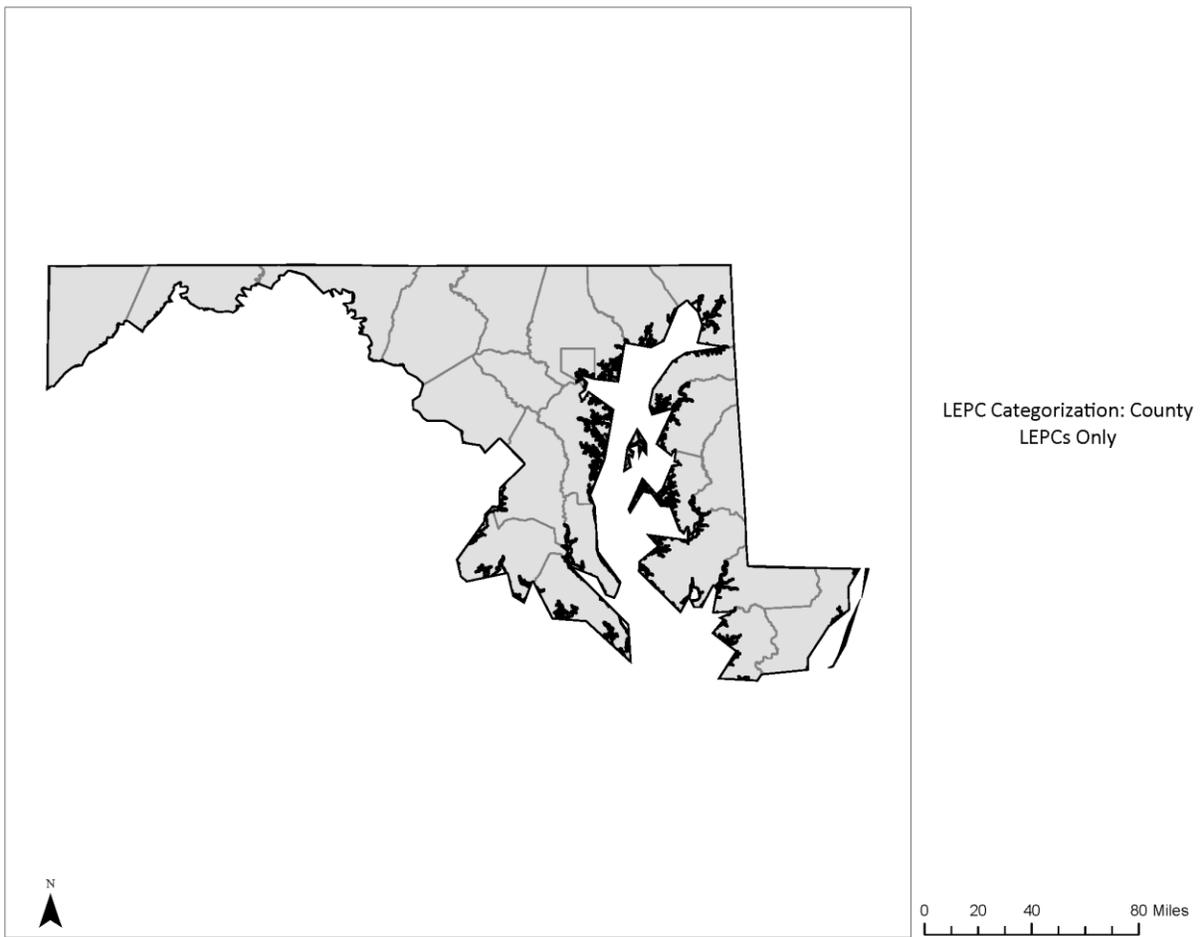




Maryland

Commission Name:	Governor's Emergency Management Advisory Council/Maryland State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Governor's Emergency Management Advisory Council
SERC Members:	Local Jurisdictions (rep as appointed); Maryland Department of the Environment (MDE) (supporting); Maryland Department of Emergency Management (MDEM) (supporting)
Roles and Responsibilities:	<i>MDEM</i> Review emergency response plans
	<i>MDE/MDEM</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
	<i>MDE</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized email; phone calls
Resources & Assistance to LEPCs:	Technical assistance; Training
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	946
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline
Follow-up Reports Tracking:	None
AWIA Section 304 Requirements Established:	MDE CRTK staff review incident reports each morning (weekdays only) and forwards any covered reports to the Water Supply Program.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	2,358
Reporting Software:	TIER II MANAGER™ online reporting system
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Mass email; phone calls; direct mailings; LEPC meetings

<p><i>AWIA Section 312 Requirements Established:</i></p>	<p>Any request from a CWS is forwarded to the Water Supply Program. Water Supply provides the coordinates for the source water protection area to MDE's IT GIS staff. The GIS staff overlays the source water protection area onto the Tier Two geographic layer and extracts the list of facilities. CRTK staff then provides either the list of facilities or electronic copies of Tier Two reports (whichever was requested) to the CWS.</p>
<p><i>Public Access to EPCRA Information (EPCRA Section 324):</i></p>	<p>Reading room access</p>
<p><i>Fee for processing requests:</i></p>	<p>First two hours of search time is free</p>

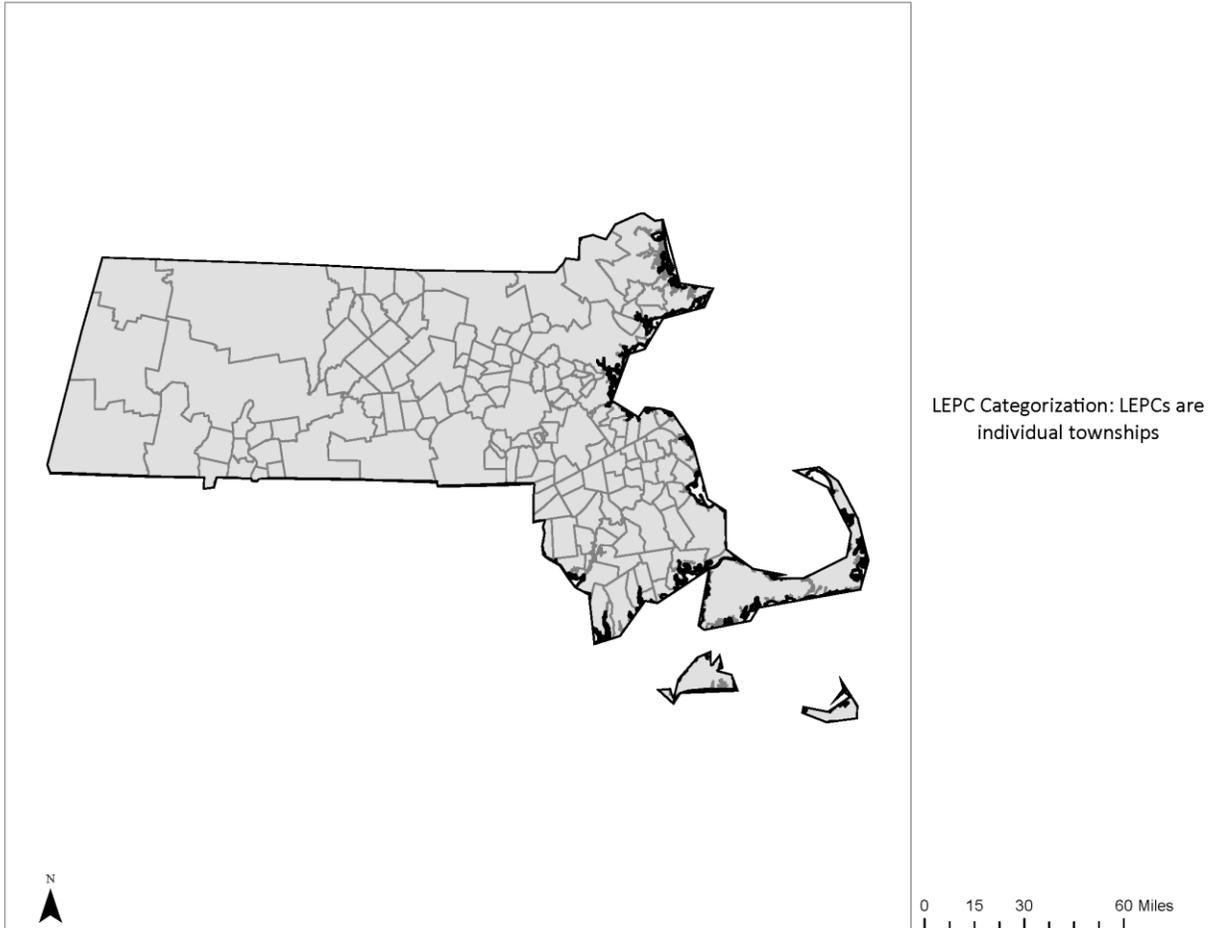




Massachusetts

Commission Name:	Massachusetts State Emergency Response Commission
Legal Basis:	Governor's Letter
Commission Chair:	Massachusetts Emergency Management Agency
SERC Members:	Massachusetts Emergency Management Agency (MEMA); Massachusetts Fire Chiefs Association; Massachusetts Department of Fire Services; Massachusetts Department of Environmental Protection (Mass DEP); Massachusetts Department of Public Health; Massachusetts Association of Hazmat Technicians; Massachusetts Highway Department; Massachusetts State Police; Member of Environmental Organization; Massachusetts Chiefs of Police Association
Roles and Responsibilities:	<i>MEMA</i> Supervise LEPCs and their activities; Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>SERC</i> Review emergency response plans
	<i>Mass DEP</i> Receive emergency release notifications (initial telephone notification); receive emergency release notifications (follow-up written reports)
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls
Sources of Funding:	HMEP grant; FEMA grant; State-appropriated funds; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	No response
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline/Warning Point
Follow-up Reports Tracking:	No response
AWIA Section 304 Requirements Established:	MassDEP is notified about releases and is the primary drinking water agency
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	Approximately 10,000
Reporting Software:	TIER II MANAGER™ online reporting system
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Mass email

<i>AWIA Section 312 Requirements Established:</i>	Requests for Tier II info come to MEMA HQ and we provide appropriate reports to stakeholders that request information.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically; postal mail
<i>Fee for processing requests:</i>	No

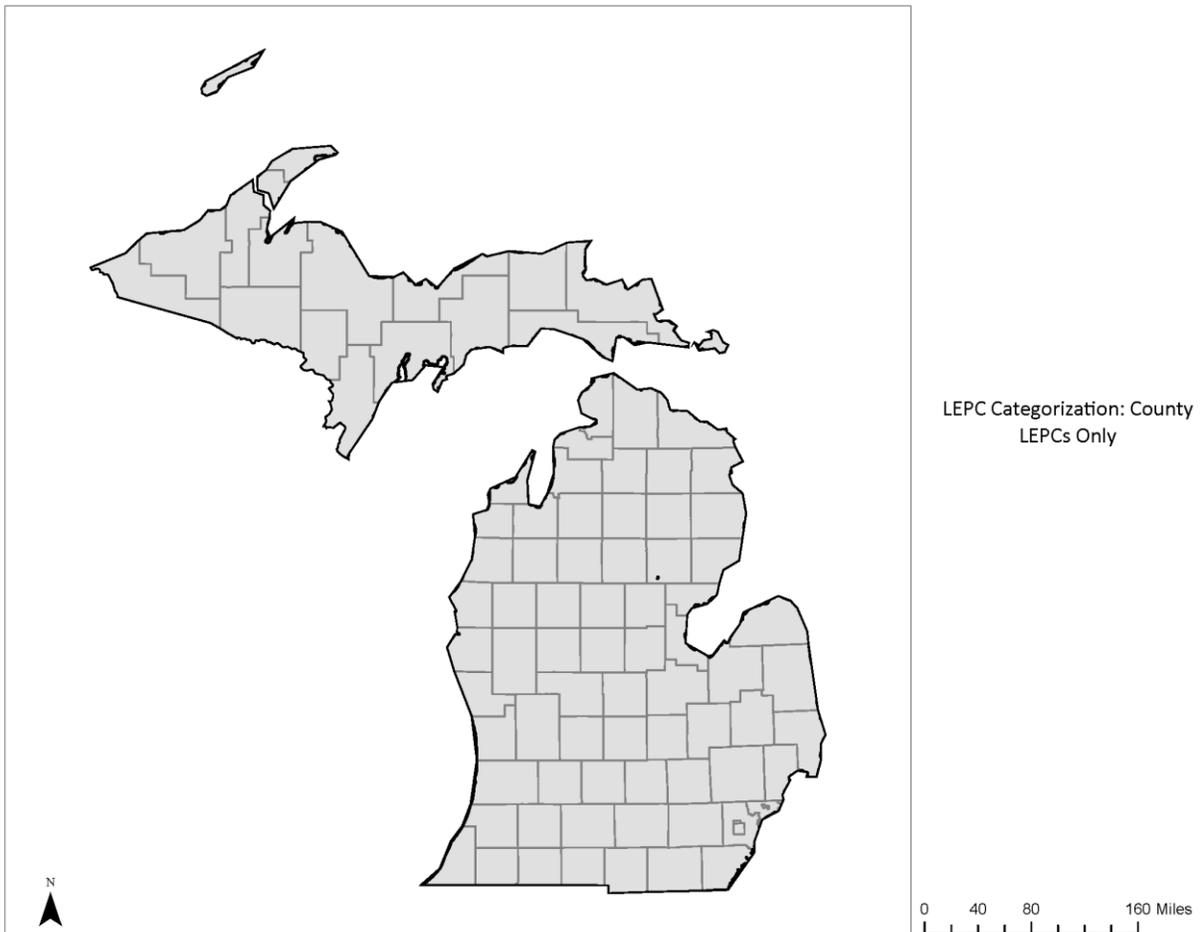




Michigan

Commission Name:	Michigan State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Michigan Department of Environment, Great Lakes, and Energy (Michigan EGLE)
SERC Members:	Department of Agriculture and Rural Development; Michigan EGLE; Department of Health and Human Services; Department of Military and Veterans Affairs; Department of State Police; Department of Transportation; Michigan Community Service Commission; State Fire Marshal; Bank of America; Pokagon Tribal Police Department; Calhoun County; Michigan State University; City of Mason Fire Department; City of Dearborn; Oakland County Health Division; Jefferson East, Inc.; City of Portland; Michigan 2-1-1; Newaygo County
Roles and Responsibilities:	<i>Michigan EGLE</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>Michigan State Police</i> Supervise LEPCs and their activities; Review emergency response plans
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; annual statewide LEPC meeting
Resources & Assistance to LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	3,212
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911
Follow-up Reports Tracking:	Spreadsheet and custom application
AWIA Section 304 Requirements Established:	The Michigan Drinking Water agency has access and is copied on all releases in Michigan through the State's Pollution Emergency Alerting System (PEAS). The Michigan

	Drinking Water agency has access to Michigan’s Tier II Report database (all information related to Tier II Reporting).
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	7,073
Reporting Software:	TIER II MANAGER™ online reporting system
One-stop Filing:	No, but provides access to LEPCs that subscribe to the TIER II MANAGER™ application. All other LEPCs receive Tier II reports for their regulated facilities
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Webinars; mass email; phone calls; conferences; trade associations
AWIA Section 312 Requirements Established:	The Michigan Drinking Water agency has access to Michigan’s Tier II Report database (all information related to Tier II Reporting).
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	Dependent on request

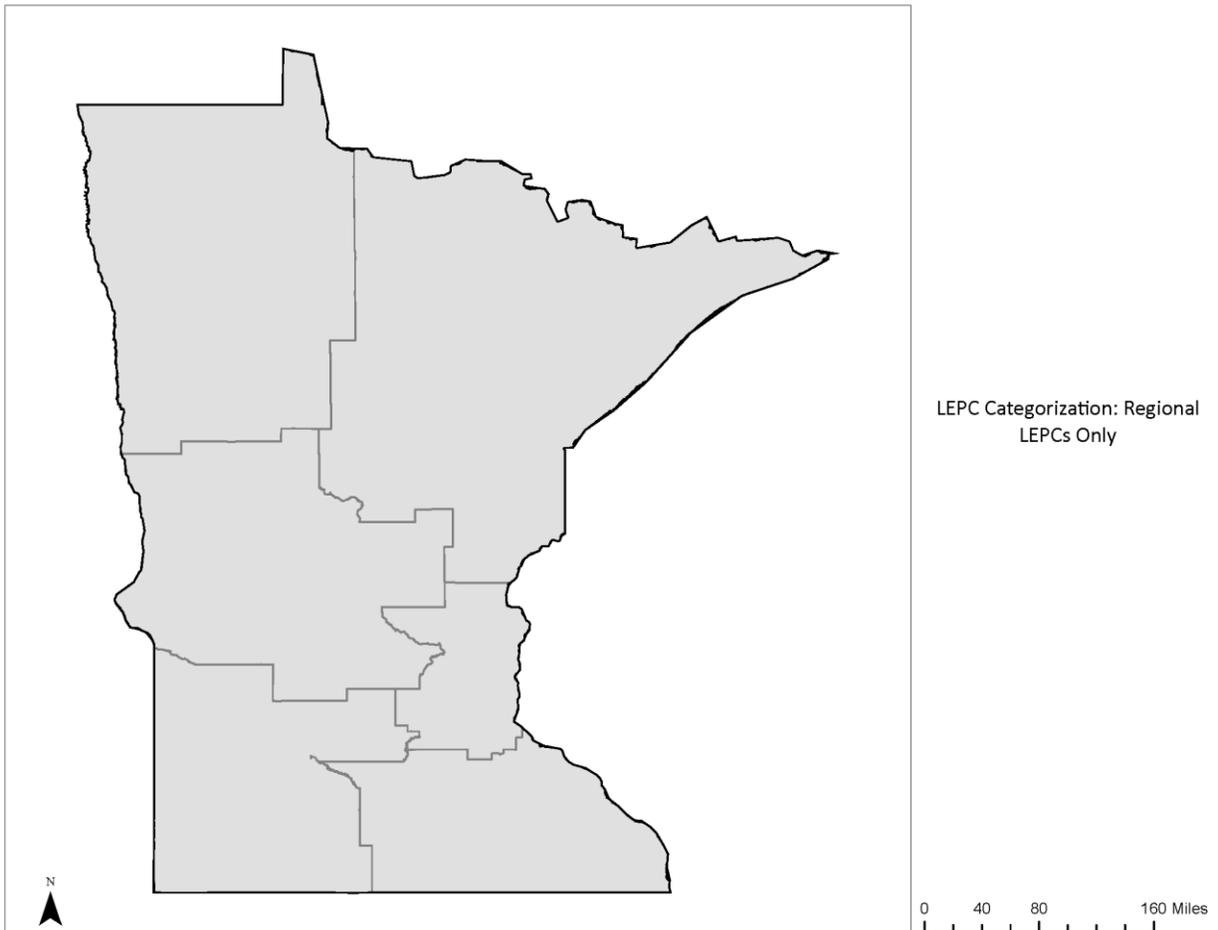




Minnesota

Commission Name:	Minnesota State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Minnesota Homeland Security and Emergency Management Division (HSEM) and Minnesota Department of Public Safety (MN DPS)
SERC Members:	HSEM and MN DPS
Roles and Responsibilities:	<i>HSEM/MN DPS</i> Supervise LEPCs and their activities; Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>Regional Planning Coordinators</i> Review emergency response plans
	<i>Minnesota Duty Officer Program/Bureau of Criminal Apprehension Division/MN DPS</i> Receive emergency release notifications (initial telephone notification)
Average Number of SERC Meetings Held Annually:	1
Communication with LEPCs:	Personalized and group email; phone calls; quarterly in-person meetings; annual conference
Resources & Assistance for LEPCs:	Funding; Technical assistance; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	Tier II filing fees; Hazardous Materials Incident Response Act Fee
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	2,460
Emergency Release Notification Requirements (EPCRA Section 304):	State program includes additional substances to federal requirements
Release Notification System:	State Hotline; SERC Office
Follow-up Reports Tracking:	Cross reference written follow-up reports received against list of releases reported
AWIA Section 304 Requirements Established:	Minnesota Duty Officer Program – MDO Personnel are responsible for making notifications to other State Agencies. At time of initial Release notification MDO personnel are trained to clarify information about release with caller and identify which State Agencies require notification of release. The State Drinking Water Primacy Agency is the Minnesota Dept. of Health.

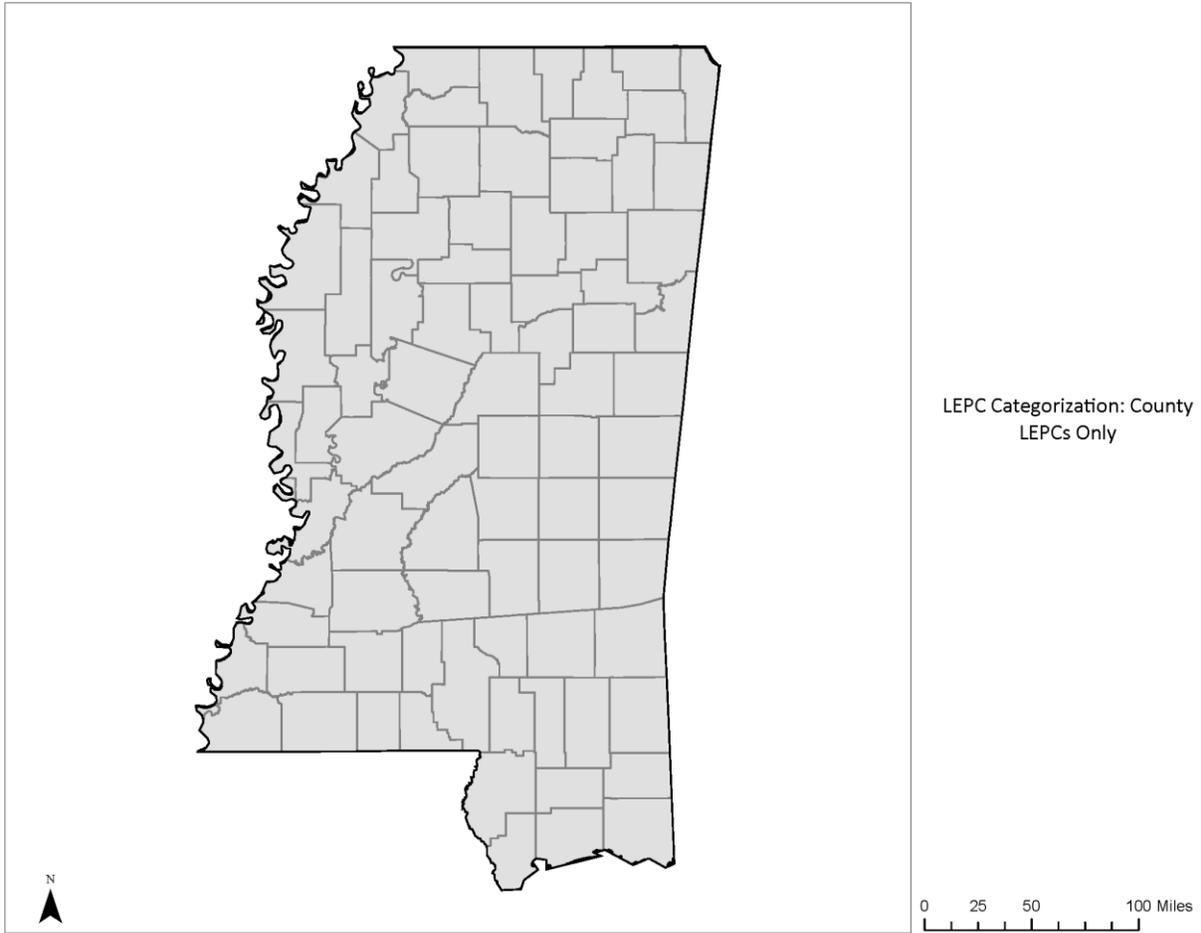
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	7,100
<i>Reporting Software:</i>	TIER II MANAGER™ online reporting system
<i>One-stop Filing:</i>	No. State provides Tier II data to regional review committees, county emergency managers. Facilities provide Tier II reports to local fire departments
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; conferences; direct mailings; website information
<i>AWIA Section 312 Requirements Established:</i>	Information provided by Tier II Data Administrator upon request
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically; Annual Right-to-Know Chemical Information Reports posted on program website
<i>Fee for processing requests:</i>	No





Mississippi

Commission Name:	Mississippi State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Mississippi Emergency Management Agency
SERC Members:	Mississippi Emergency Management Agency; Mississippi Department of Environmental Quality
Roles and Responsibilities:	<i>Mississippi Emergency Management Agency</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized email; annual in-person meetings
Resources & Assistance to LEPCs:	Funding
Tribal Representatives SERC/LEPC:	Unknown
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,000
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	Mass Distribution notifications are sent to all stakeholders following the reporting of any hazmat incident
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	2,591
Reporting Software:	E-Plan
One-stop Filing:	No
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Handled by MDEQ
AWIA Section 312 Requirements Established:	Any Community water system can request access to E-Plan
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	None

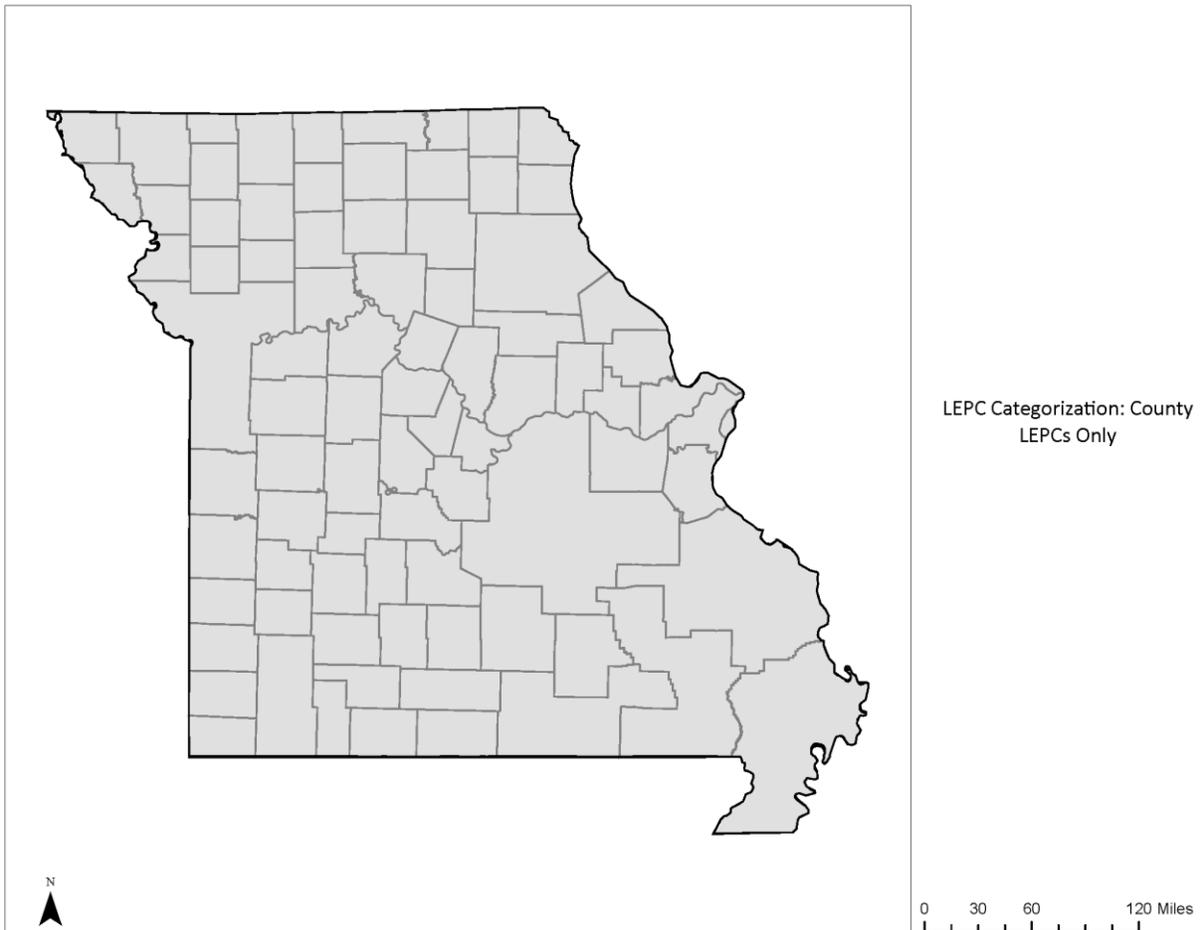




Missouri

Commission Name:	Missouri Emergency Response Commission (MERC)
Legal Basis:	Governor's Executive Order
Commission Chair:	Chris Berndt, Fire Chief in Branson Missouri
SERC Members:	Four Members of the Missouri General Assembly, two State Representatives, two Senators; Director of Dept. of Economic Development; Director of Dept. of Natural Resources; Director of Dept. of Public Safety; Director of Dept. of Health and Senior Services; One to Represent Transporters of Hazardous Materials; One to Represent Missouri Industry; One to Represent Local Government; One to Represent a Chief Fire Office; One to represent a Police Officer, Capt. or above; One at large to represent the General Public
Roles and Responsibilities:	<u>MERC</u> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information <u>Missouri Department of Natural Resources call center</u> Receive emergency release notifications (initial telephone notification; Receive emergency release notifications (follow-up written reports)
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences; virtual meetings
Resources & Assistance to LEPCs:	Funding; Technical assistance; Community risk communication; Training; Guidance documents; Response equipment; Outreach to facilities; On-site facility inspections. In addition, funding is also provided for planners to aid in plan development and updates, support fire safety hazmat programs, and for commodity flow studies
Number of Tribes/TERCs:	None
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	HMEP grant; Tier II filing fees; donations; Hazardous Materials Damage Funds
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	976

Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
<i>Release Notification System:</i>	State Hotline; EER Notifications
<i>Follow-up Reports Tracking:</i>	Data is tracked by the Missouri Department of Natural Resources
<i>AWIA Section 304 Requirements Established:</i>	Under the Dept. Of Natural Resources – DNR monitors the EER notification and spill line.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program more stringent than federal requirements
<i>Number of Facilities Reported in CY 2020:</i>	8,796
<i>Reporting Software:</i>	State-developed online reporting tool
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; trade associations; direct mailings through LEPCs/LEPDs
<i>AWIA Section 312 Requirements Established:</i>	This is handled by the Dept. of Natural Resources.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically; postal mail
<i>Fee for processing requests:</i>	Yes

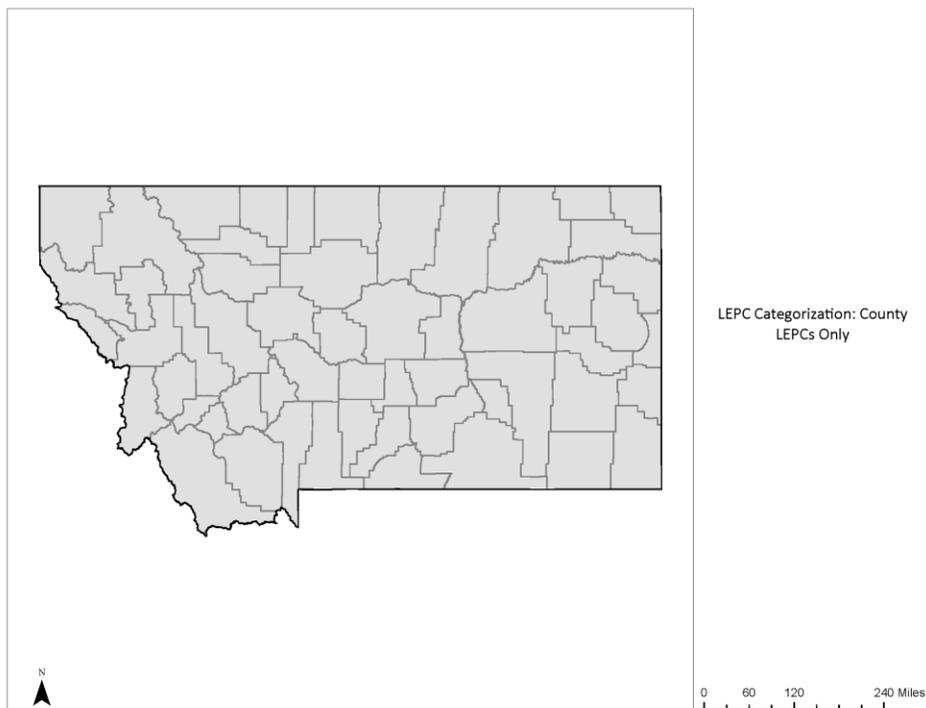




Montana

Commission Name:	Montana State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	MT Disaster and Emergency Services (DES) and MT Department of Environmental Quality (DEQ) (Co-Chairs)
SERC Members:	MT DES; Department of Agriculture; DEQ; An Emergency Management Association; US Air Force; Department of Natural Resources and Conservation; Trucking Association; Tribal Emergency Response Commission; Utility Company Doing Business in Montana; National Weather Service; Montana League of Cities and Towns; Emergency Medical Services and Trauma Systems; Department of Public Health and Human Services; Montana Hospital Association; Fire Services Training School; Law Enforcement Association; Public Health Association; Montana's Insurance Industry; Montana's Petroleum Industry; Montana Association of Counties; Department of Fish, Wildlife, and Parks; Emergency Medical Services Association; Office of the Governor; University System; Department of Justice; Fire Chiefs Association; Railroad Company Doing Business in Montana; National Guard; Department of Transportation
Roles and Responsibilities:	<i>MT DES</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification)
	<i>MT DEQ</i> Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	1-2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance for LEPCs:	Technical assistance; Training; Response equipment
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	State appropriated funds
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	460
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline

<i>Follow-up Reports Tracking:</i>	None
<i>AWIA Section 304 Requirements Established:</i>	DEQ Duty Officer Program
<i>AWIA Section 304 Requirements Established:</i>	Montana’s DEQ, DES and the State Public Health Department have duty officer programs that relay urgent messages to each other and to corresponding local jurisdiction’s authorities (such as local public health, local emergency manager and local sanitarian) about any event that poses a risk to health and safety of an individual, population, or environment including risks to drinking water, flowing water (such as rivers/streams) and other events. Other agencies such as Fish, Wildlife and Parks; Department of Natural Resources; and associated state agencies may also be notified.
<i>Hazardous Chemical Reporting Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	2,424
<i>Reporting Software:</i>	E-Plan
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	None
<i>AWIA Section 312 Requirements Established:</i>	CWS will contact LEPC’s. Individual LEPC’s will have to decide how to extract, compile/format, and present the information to the CWS.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	Based on Department of Administration Rule on Open Record Request

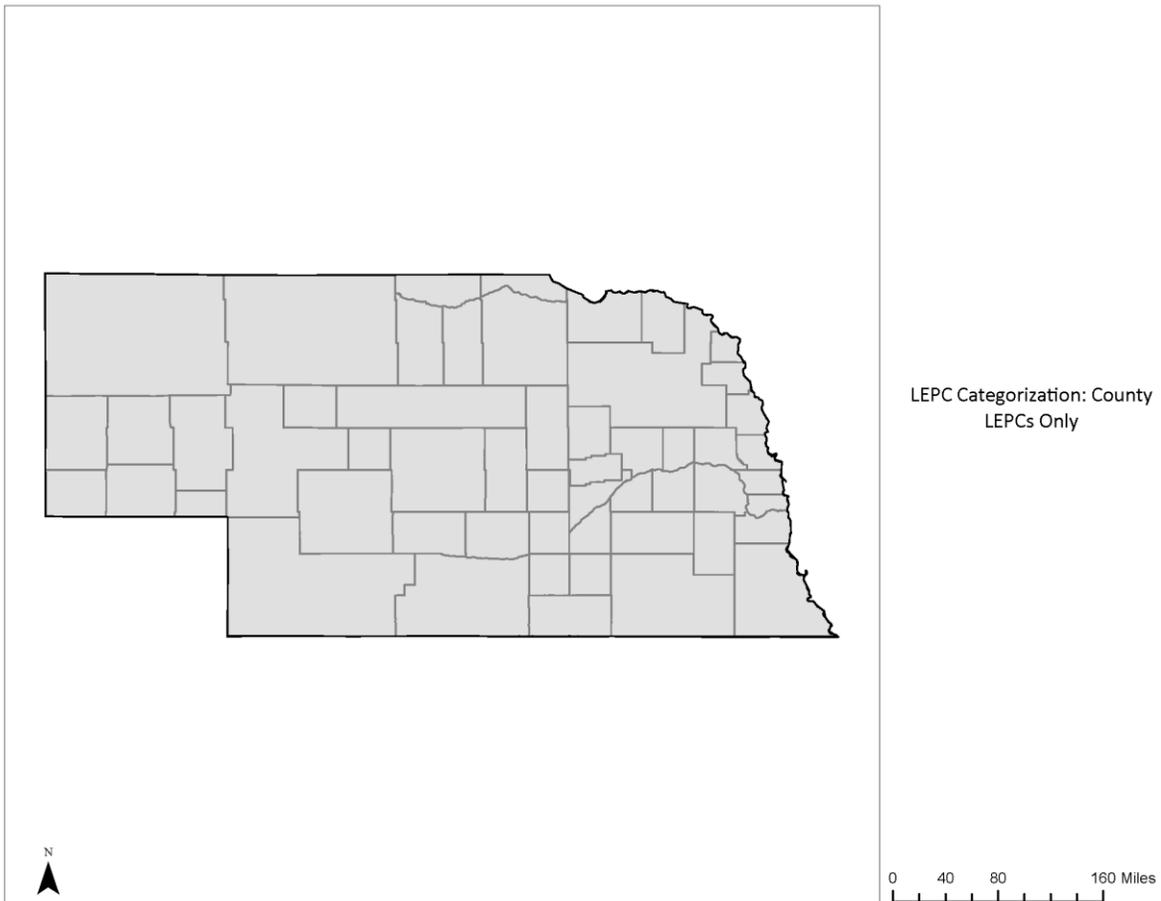




Nebraska

Commission Name:	Nebraska State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Agricultural Business
SERC Members:	Director of Department of Environment and Energy (NDEE) or his or her designee; Director-State Engineer or his or her designee; Superintendent of Law Enforcement and Public Safety or his or her designee; State Fire Marshal or his or her designee; Director of Nebraska Emergency Management Agency or his or her designee; CEO of Department of Health and Human Services or his or her designee; Two elected officials or employees of municipal or county government; One citizen member to represent firefighters; One citizen member to represent local emergency management; One citizen member to represent public or community health; One citizen member to represent environmental protection; One citizen member to represent labor; One citizen member to represent school district; One citizen member to represent small business; One citizen member to represent agricultural business; One citizen member to represent chemical industry; One citizen member to represent highway transportation; One citizen member to represent rail transportation
Roles and Responsibilities:	<i>SERC Coordinator</i> Supervise LEPCs and their activities
	<i>SERC Body</i> Review emergency response plans
	<i>Nebraska Department of Environment and Energy</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences
Resources & Assistance for LEPCs:	Funding; Technical assistance; Guidance documents; Training
Tribal Representatives in SERC/LEPC:	Unknown
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program

<i>Number of EHS Planning Facilities in CY20:</i>	1,188
<i>Emergency Release Notification Requirements (EPCRA Section 304):</i>	Follows federal program
<i>Release Notification System:</i>	NDEE during business hours and Nebraska State Patrol after hours
<i>Follow-up Reports Tracking:</i>	None
<i>AWIA Section 304 Requirements Established:</i>	NDEE is the primacy agency and Kirk Morrow (NDEE ER) notifies us of any releases. We then notify the system.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	State program – lower reporting thresholds
<i>Number of Facilities Reported in CY 2020:</i>	2,901
<i>Reporting Software:</i>	State-developed online reporting tool
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Direct mailings
<i>AWIA Section 312 Requirements Established:</i>	SOP is provided.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access; provide data electronically
<i>Fee for processing requests:</i>	No

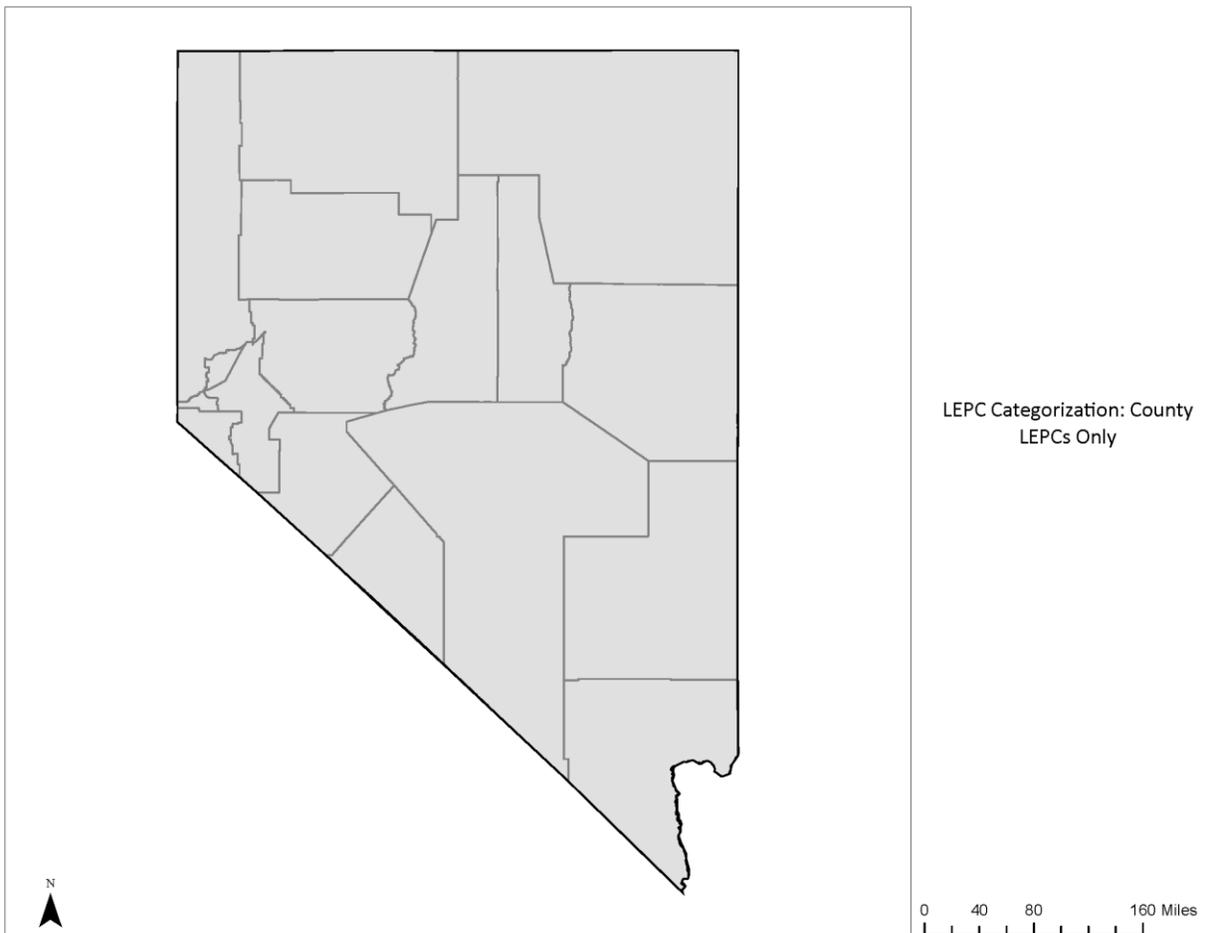




Nevada

Commission Name:	Nevada State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Nevada SERC Administrator
SERC Members:	8 members representing the private sector and related industry; 6 members representing local government with an affiliation with fire services, law enforcement, occupational safety, environmental protections, emergency management, or public health; 6 members representing state government with an affiliation with the fire service, law enforcement, occupational safety and health, environmental protections, emergency management, or public health; 1 member representing a federally recognized tribal entity in Nevada; 1 member representing a community health organization; 3 members who are private citizen(s) or representative of a citizens' group
Roles and Responsibilities:	<i>Nevada SERC and SERC Administrator</i> Supervise LEPCs and their activities
	<i>Nevada SERC and the SERC Planning and Training Subcommittee</i> Review emergency response plans
	<i>Nevada SERC Administrator</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; annual conference; virtual meetings
Resources & Assistance for LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Response equipment; Outreach to facilities
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	637
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911; SERC Office
Follow-up Reports Tracking:	No

<i>AWIA Section 304 Requirements Established:</i>	Within the State of Nevada, it is the Nevada Division of Environmental Protection/State Department of Conversation and Natural Resources that is responsible for the Safe Drinking Water Act.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	794
<i>Reporting Software:</i>	TIER II MANAGER™ online reporting system
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	None
<i>AWIA Section 312 Requirements Established:</i>	Although NDEP would be the contact for AWIA information, anyone is able to file a public records request in the State of Nevada.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Vetting of the request and following internal procedures
<i>Fee for processing requests:</i>	Yes



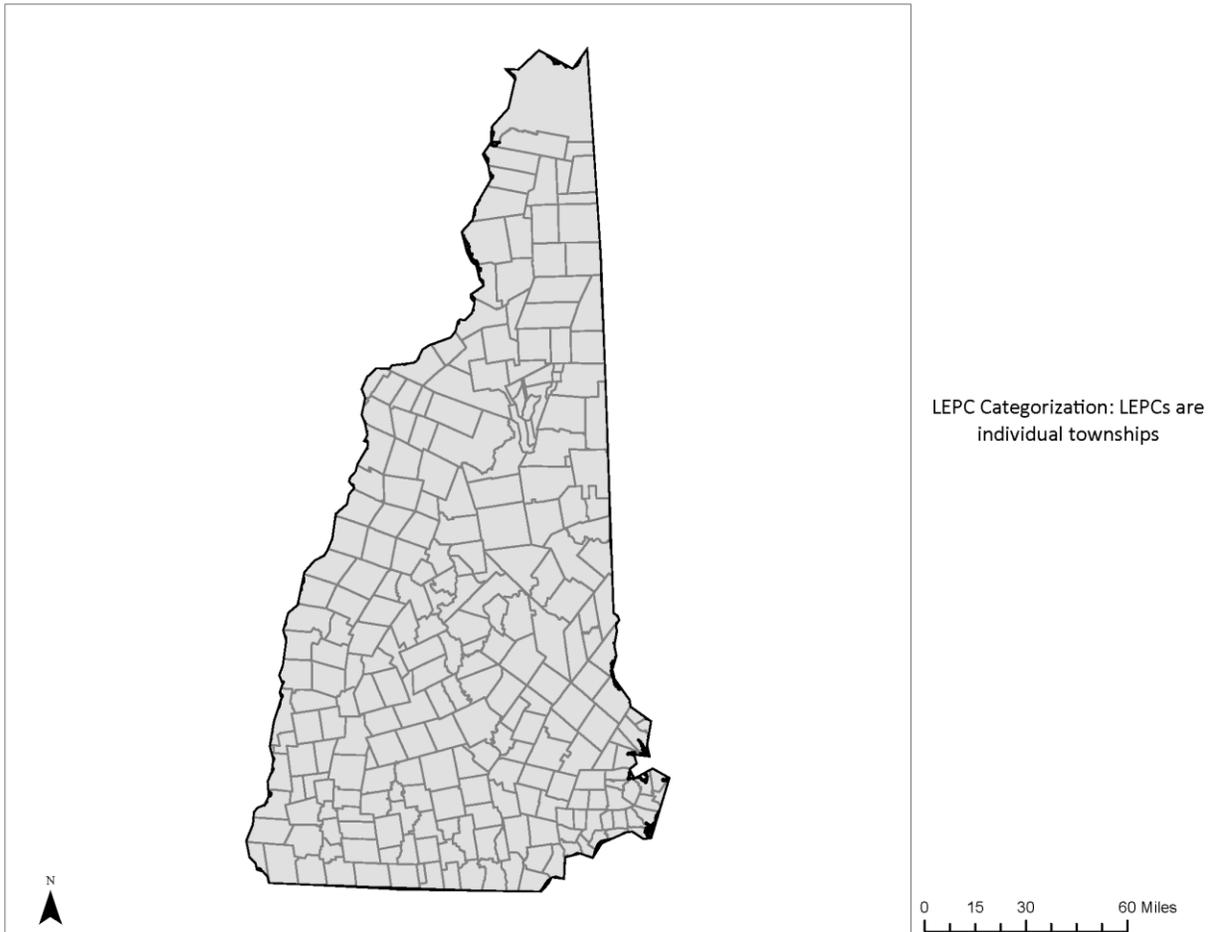


New Hampshire

Commission Name:	New Hampshire State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Commissioner of Safety or Designee
SERC Members:	<p>The Director of the Division of Homeland Security and Emergency Management; Attorney General, or designee; Chair of the Public Utilities Commission, or designee; Adjutant General, or designee; Commissioner of the Department of Health and Human Services, or designee; Director of the Division of Fire Safety; Commissioner of the Department of Safety, or designee; Director of the Office of Planning and Development; Commissioner of the Department of Transportation, or designee; Commissioner of the Department of Natural and Cultural Resources, or designee; Commissioner of the Department of Agriculture, Markets, and Food, or designee; Commissioner of the Department of Environmental Services, or designee; Commissioner of the Department of Administrative Services, or designee; Director of the Division of Ports and Harbors; Pease Development Authority; Director of Police Standards and Training; Director of the Division of Fire Standards and Training; local police chief, appointed by the Governor; local fire chief, appointed by the Governor; county sheriff appointed by the Governor; representative of the Professional Firefighters of New Hampshire, appointed by the Governor; Director of the Division of State Police; Director of the Division of Public Health Services; Commissioner of the Department of Corrections, or designee; Executive Director of the Department of Fish and Game, or designee; Executive Director of the New Hampshire Hospital Association; representative of a regional emergency planning committee, appointed by the Governor; One member of the State Hazardous Materials Cooperative, appointed by the Governor; representative of the hazardous materials transporter industry, appointed by the Governor; representative of the hazardous materials industry, appointed by the Governor; Director of the Division of Emergency Communications and Services; representative of the Business and Industry Association, appointed by the Governor; representative from the United States Environmental Protection Agency, appointed by that Agency; representative from the Federal Bureau of Investigation, appointed by the Bureau; representative from the United States Coast Guard, appointed by that Agency; representative of the nuclear power industry, appointed by</p>

	<p>the Governor; representative of the United States Department of Homeland Security, appointed by the Department; primary investigator for the Centers for Disease Control and Assistant Secretary for Preparedness and Response (ASPR) grant programs; representative of the state citizens corps, appointed by the Governor; representative of the Emergency Medical Services Medical Control Board, appointed by the Board; United States Attorney for the District of New Hampshire, or designee; representative from the Department of Health and Human Services Radiological Health Program, designated by the Commissioner of Health and Human Services; representative from the Department of Environmental Services Environmental Health Program, designated by the Commissioner of Environmental Services; representative from the Department of Environmental Services Waste Management Division, designated by the Commissioner of Environmental Services; judicial branch representative, chosen by the Chief Justice of the Supreme Court; representative of a volunteer emergency response non-governmental organization, appointed by the Governor; Commissioner of the Department of Information Technology, or designee; such other representatives as the Governor, from time to time, may deem necessary for the fulfillment of the council's mandates.</p>
Roles and Responsibilities:	<p><i>Fire Marshall's Office</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information</p>
Average Number of SERC Meetings Held Annually:	0
Resources & Assistance for LEPCs:	Funding; Technical assistance
Tribal Representatives in SERC/LEPC:	None
Sources of Funding:	HMEP
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	354
Emergency Release Notification Requirements (EPCRA Section 304):	Not provided
Release Notification System:	State hotline
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	Facilities notify State Police dispatch which notifies NH DES who notifies the Community Water System.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	1,505
Reporting Software:	Tier2 Submit
One-stop Filing:	No
Tier II Filing Fee:	No

<i>Outreach to Facilities for Compliance:</i>	Mass email
<i>AWIA Section 312 Requirements Established:</i>	N/a
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Requests must be made through the NH FMO
<i>Fee for processing requests:</i>	No





New Jersey

Commission Name:	New Jersey State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	New Jersey State Police (NJSP) and New Jersey Department of Environmental Protection (NJDEP)
SERC Members:	NJSP/NJ Office of Emergency Management (NJOEM); New Jersey Department of Environmental Protection; New Jersey Department of Community Affairs/Division of Fire Safety; New Jersey Department of Health; New Jersey Board of Public Utilities; New Jersey Office of the Attorney General; New Jersey Department of Military and Veterans Affairs; New Jersey Department of Transportation; New Jersey Office of Homeland Security and Preparedness
Roles and Responsibilities:	<i>NJOEM</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>NJDEP</i> Receive emergency release notifications (initial telephone notification); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>NJDEP/NJOEM</i> Receive emergency release notifications (follow-up written reports)
	<i>LEPCs</i> Providing information to the public is handled at the local level
Average Number of SERC Meetings Held Annually:	1-2
Communication with LEPCs:	Phone calls; in-person meetings; annual conference
Resources & Assistance to LEPCs:	Guidance documents; Training
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	EMPG grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	Not provided
Emergency Release Notification Requirements (EPCRA Section 304):	Follows Federal program
Release Notification System:	State Hotline
Follow-up Reports Tracking:	Yes
AWIA Section 304 Requirements Established:	Referred within NJDEP and the water companies and impacted counties. Environmental emergencies and incidents get reported to the 24/7 DEP Hotline in NJ. NJDEP is the state drinking water

	primacy agency which also notifies potentially impacted community water systems.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program - additional substances and lower reporting thresholds
Number of Facilities Reported in CY 2020:	7,976
Reporting Software:	State-developed online reporting tool
One-stop Filing:	No
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Webinars; mass email; phone calls; conferences; direct mailings
AWIA Section 312 Requirements Established:	Someone submits a request, NJDEP runs a report and provides information as appropriate.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access
Fee for processing requests:	No

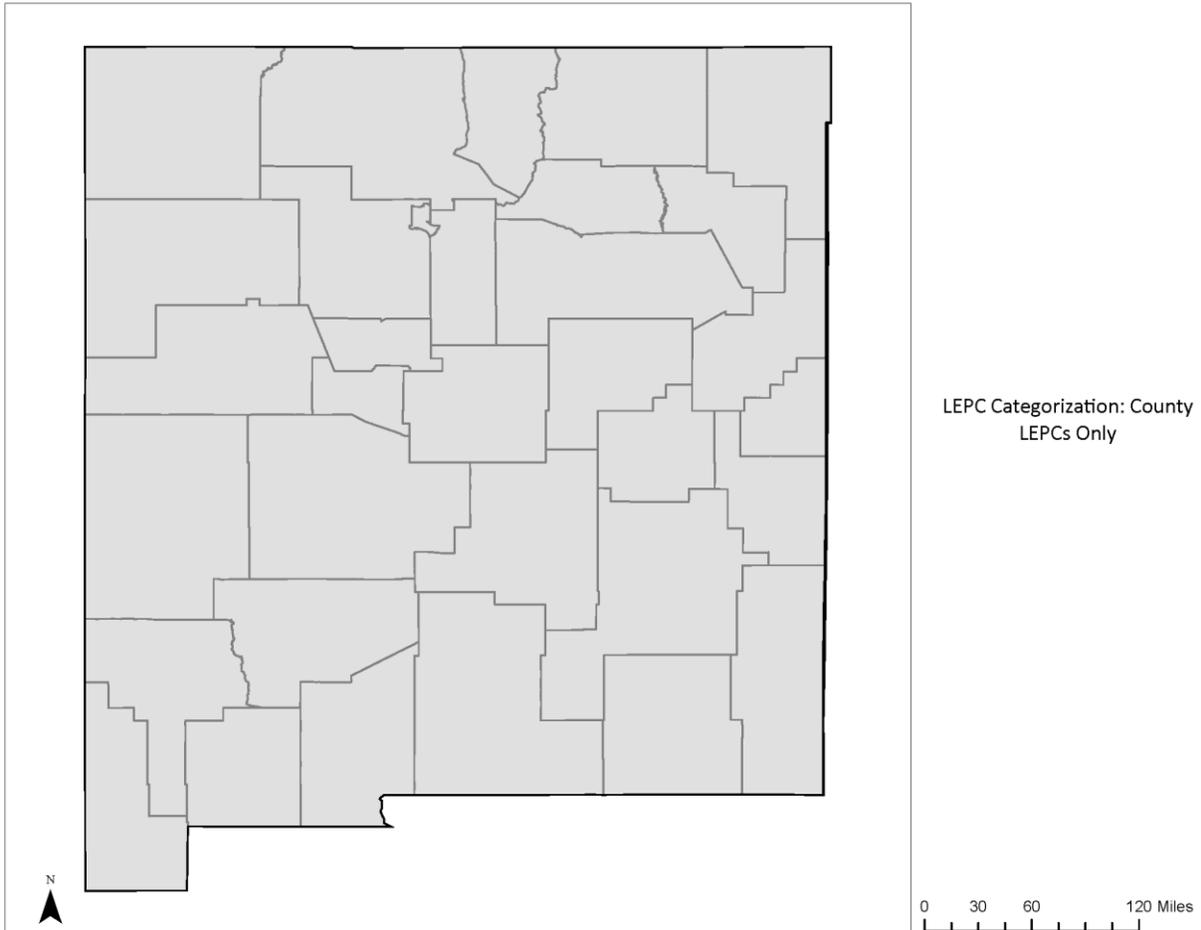




New Mexico

Commission Name:	New Mexico State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	VACANT
SERC Members:	Public Health, Public Safety, Federal Facilities, Private Industry
Roles and Responsibilities:	<i>NM DHSEM</i> Supervise LEPCs and their activities (ex: conducting exercises; attend meetings with community; assist in explaining potential risks to the community); Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	1-2
Communication with LEPCs:	Personalized email; phone calls; annual in-person meetings; conferences
Resources & Assistance to LEPCs:	Technical assistance; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1299
Designation of Additional Facilities for Emergency Planning:	No
Enforcement Efforts for Section 302:	No
Emergency Release Notification Requirements (EPCRA Section 304):	Follows Federal program
Release Notification System:	SERC Office, email
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	No process has been established.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows Federal program
Number of Facilities Reported in CY 2020:	24,097
Reporting Software:	Tier2 Submit
One-stop Filing:	Yes
Tier II Filing Fee:	Yes

<i>Outreach to Facilities for Compliance:</i>	Webinars; mass email
<i>AWIA Section 312 Requirements Established:</i>	File for each county is available through WebEOC.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No

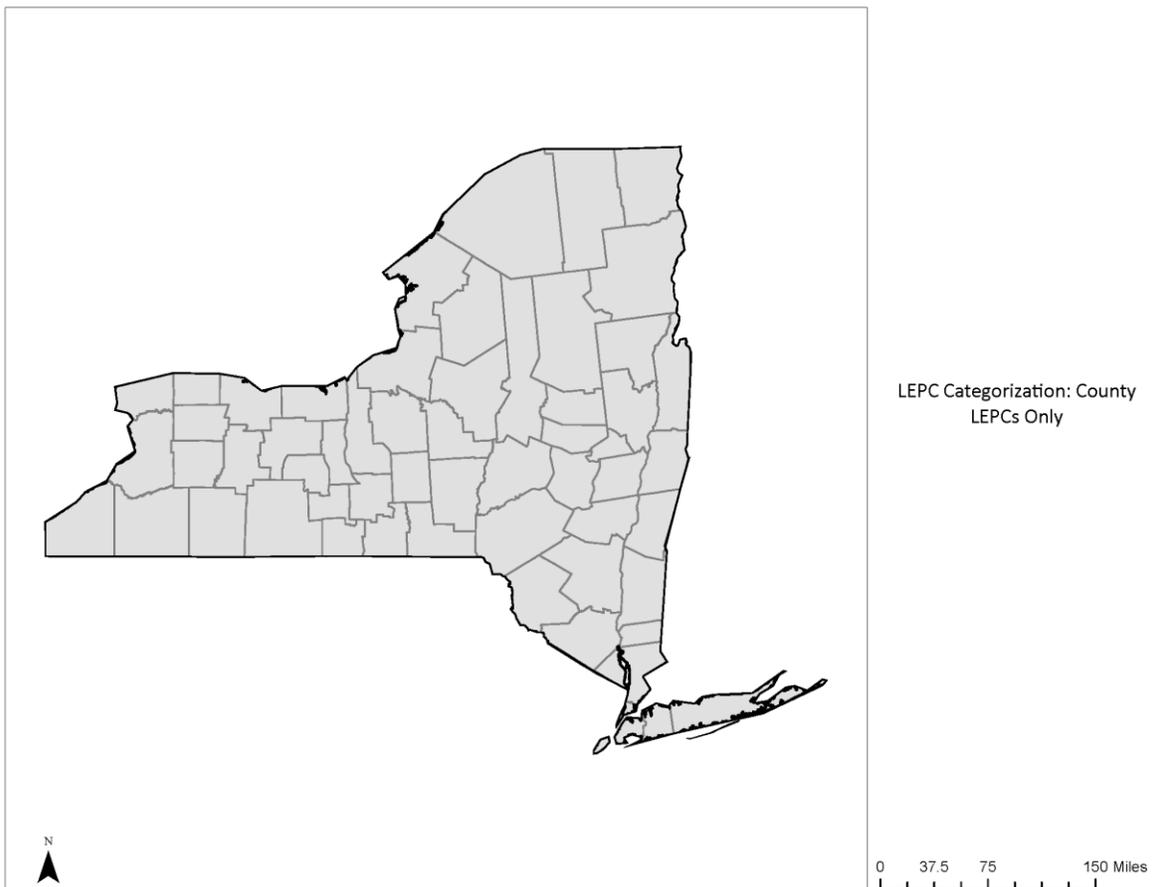




New York

Commission Name:	New York State Disaster Preparedness Commission
Legal Basis:	Executive Order
Commission Chair:	Commissioner of the Division of Homeland Security and Emergency Services (DHSES)
SERC Members:	American Red Cross, Department of Health (DOH); Office of Fire Prevention and Control (OFPC); Department of Environmental Conservation (DEC); Department of Labor (DOL); Office of Emergency Management (OEM); Department of Transportation (DOT); Division of State Police (DSP); Office of Counter Terrorism (OCT)
Roles and Responsibilities:	<i>SERC Working Group/State OEM Planning</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>NYS DEC and the NYS Watch Center (SWC)</i> Receive emergency release notifications (initial telephone notification)
	<i>NYS DEC and NYS OEM/Planning</i> Receive emergency release notifications (follow-up written reports)
	<i>NYS OEM/Planning</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>NYS OEM and DHSES Counsel</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; webinars
Resources & Assistance to LEPCs:	Technical assistance; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	None
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,178
Emergency Release Notification Requirements (EPCRA Section 304):	State program - additional substances
Release Notification System:	State Hotline, 911, SERC Office, NYS Spills Hotline at the NYS Department of Environmental Conservation
Follow-up Reports Tracking:	Yes, Searchable database of all reported spills.
AWIA Section 304 Requirements Established:	Notification to Commercial Water Supplies through the State Drinking Water Primacy Agency (NYS DOH –

	Bureau of Water Supply), and through Local Health Departments (LHD). The State has aggressive all-hazards and hazard-specific notification procedures for incidents, which includes transportation-related and fixed site emergencies. Notifications are made through multiple redundant watch centers in the state. No challenges or issues with AWIA.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	7,372
<i>Reporting Software:</i>	E-Plan
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Phone calls; website information; help/assistance line for reporting criteria
<i>AWIA Section 312 Requirements Established:</i>	Updated guidance documents, web information, coordination with state water primacy agency, notification to community water supply operators of tier II availability. Webinars are being planned for 2022.
Public Access to EPCRA Information (EPCRA Section 324):	Provide printed copies
<i>Fee for processing requests:</i>	\$.25/page

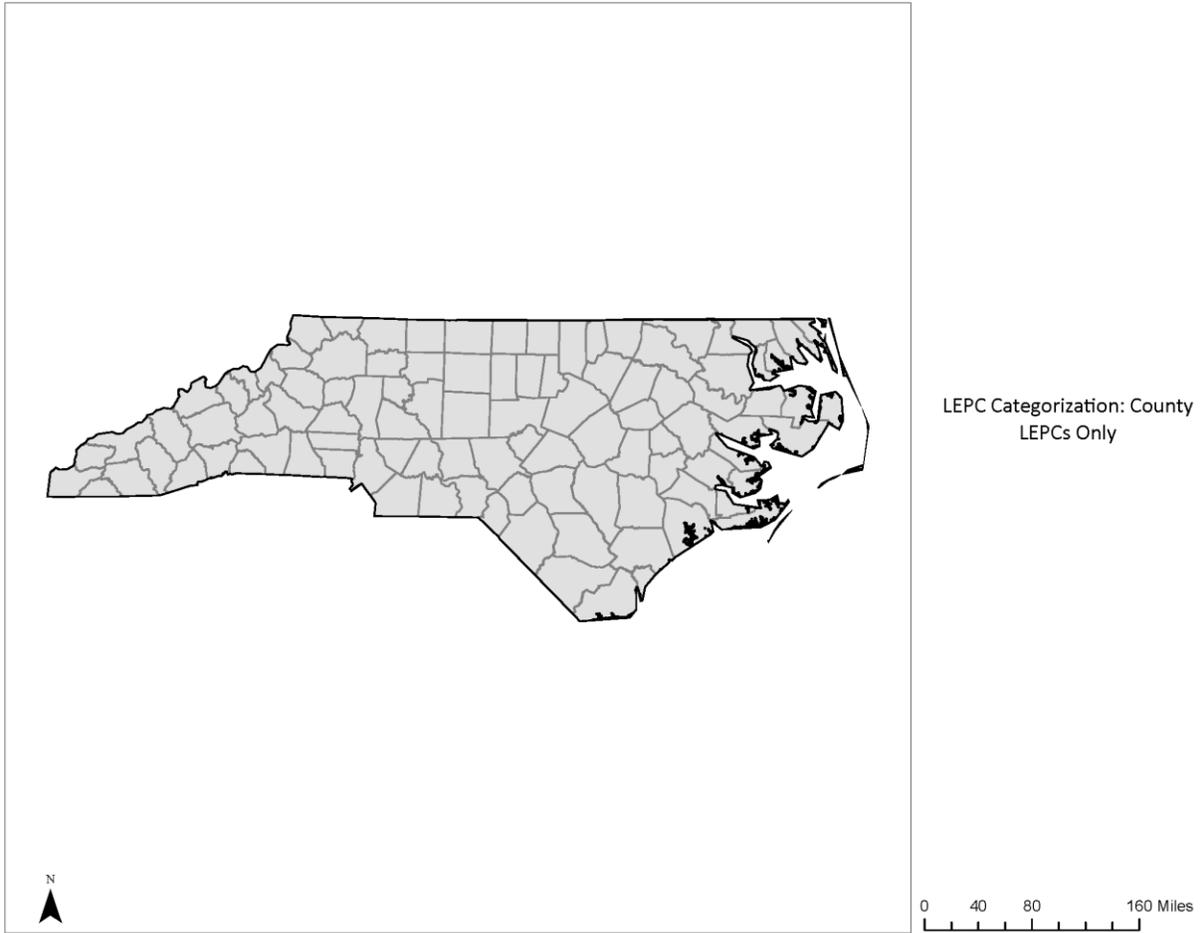




North Carolina

Commission Name:	North Carolina State Emergency Response Commission
Legal Basis:	State Law and Governor’s Executive Order
Commission Chair:	NC Department of Public Safety
SERC Members:	<p>Director of Emergency Management, North Carolina Department of Public Safety, who shall serve as the Vice-Chair and Deputy Homeland Security Advisor; Director of the State Bureau of Investigation, North Carolina Department of Public Safety; The Adjutant General of the North Carolina National Guard, North Carolina Department of Public Safety; Commander of the State Highway Patrol, North Carolina Department of Public Safety; Secretary of the North Carolina Department of Environmental Quality; Secretary of the North Carolina Department of Transportation; Chief of the Office of Emergency Medical Services, Division of Health Service Regulation, North Carolina Department of Health and Human Services; State Fire Marshal, Office of the State Fire Marshal, North Carolina Department of Insurance; State Chief Information Risk Officer, North Carolina Department of Information Technology; Assistant Secretary for Public Health, Division of Public Health, North Carolina Department of Health and Human Services; Assistant Deputy Commissioner of Labor for Occupational Safety and Health, North Carolina Department of Labor; President of the North Carolina Community College System; Director of the Emergency Programs Division, North Carolina Department of Agriculture and Consumer Services; and The CFSS Executive Director, North Carolina Department of Public Instruction; Chief of Police; Sheriff; Fire Chief; representative of emergency medical services in North Carolina; representative of emergency managers in North Carolina; representative of medium or large public assembly venues in North Carolina; representative involved in the production, storage, or transportation of hazardous materials; private citizen of North Carolina.</p>
Roles and Responsibilities:	<p><i>NC Emergency Management</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information</p>
Average Number of SERC Meetings Held Annually:	4

Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences
Resources & Assistance to LEPCs:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Outreach to facilities; Onsite facility inspections
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	State appropriated funds; federal HMEP/HSGP grants; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	2,976
Designation of Additional Facilities for Emergency Planning:	No
Enforcement Efforts for Section 302:	No
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline, 911, electronic 304
Follow-up Reports Tracking:	Yes
AWIA Section 304 Requirements Established:	When reported to the watch any releases effecting waterways is shared with our water resources agency who then verifies downstream impacts and conducts notifications. Any release effecting waterways no matter the source is reported to this agency for assessment.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program more stringent than federal requirement
Number of Facilities Reported in CY 2020:	10,025
Reporting Software:	E-Plan
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; phone calls; conferences trade associations; direct mailings
AWIA Section 312 Requirements Established:	We provide this directly or through the rural water association and water resources.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; provide data electronically; postal mail
Fee for processing requests:	\$1/page for photocopy

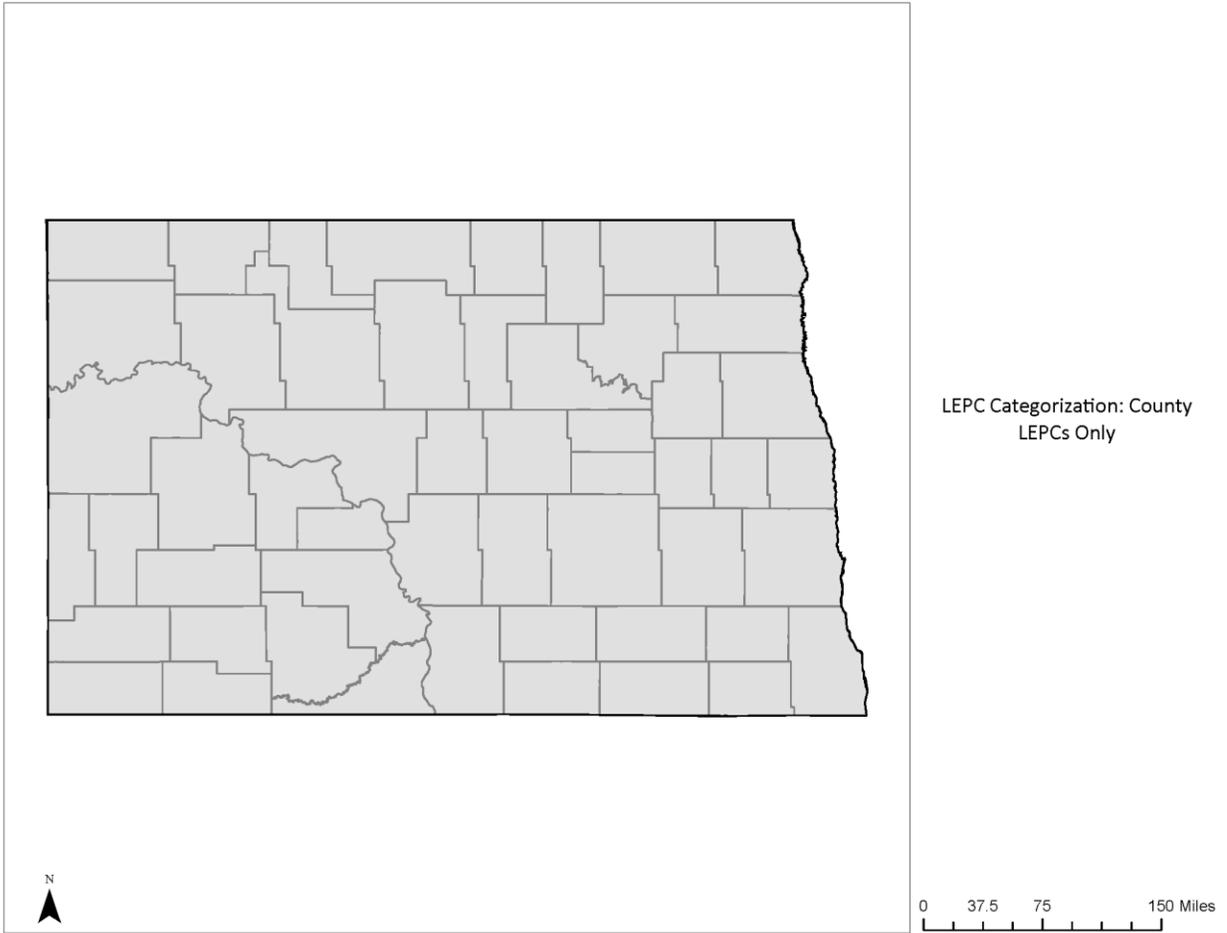




North Dakota

Commission Name:	North Dakota State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Division of Homeland Security
SERC Members:	<p>Director of Emergency Management, North Carolina Department of Public Safety, who shall serve as the Vice-Chair and Deputy Homeland Security Advisor; Director of the State Bureau of Investigation, North Carolina Department of Public Safety; The Adjutant General of the North Carolina National Guard, North Carolina Department of Public Safety; Commander of the State Highway Patrol, North Carolina Department of Public Safety; Secretary of the North Carolina Department of Environmental Quality; Secretary of the North Carolina Department of Transportation; Chief of the Office of Emergency Medical Services, Division of Health Service Regulation, North Carolina Department of Health and Human Services; State Fire Marshal, Office of the State Fire Marshal, North Carolina Department of Insurance; State Chief Information Risk Officer, North Carolina Department of Information Technology; Assistant Secretary for Public Health, Division of Public Health, North Carolina Department of Health and Human Services; Assistant Deputy Commissioner of Labor for Occupational Safety and Health, North Carolina Department of Labor; President of the North Carolina Community College System; Director of the Emergency Programs Division, North Carolina Department of Agriculture and Consumer Services; and The CFSS Executive Director, North Carolina Department of Public Instruction; Chief of Police; Sheriff; Fire Chief; representative of emergency medical services in North Carolina; representative of emergency managers in North Carolina; representative of medium or large public assembly venues in North Carolina; representative involved in the production, storage, or transportation of hazardous materials; private citizen of North Carolina.</p>
Roles and Responsibilities:	<p><i>Department of Emergency Services</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information</p>
Average Number of SERC Meetings Held Annually:	4

Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents; Training; Response equipment
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,275
Emergency Release Notification Requirements (EPCRA Section 304):	State program requires reporting for additional substances
Release Notification System:	State Hotline; 911; spill.nd.gov
Follow-up Reports Tracking:	Yes
AWIA Section 304 Requirements Established:	State Drinking Water Primacy Agency and Community Water Systems are part of the interactive system. Watersheds is a layer on the map as well as intakes. If a spill is in that area they get notified automatically. The Department of Environmental Quality assures this is accurate and taken care of.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program more stringent than federal requirement
Number of Facilities Reported in CY 2020:	11,401
Reporting Software:	Hazconnect®
One-stop Filing:	Yes
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; direct mailings
AWIA Section 312 Requirements Established:	They have a login to the system for their geographic area.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	\$0.10/page for hard copy

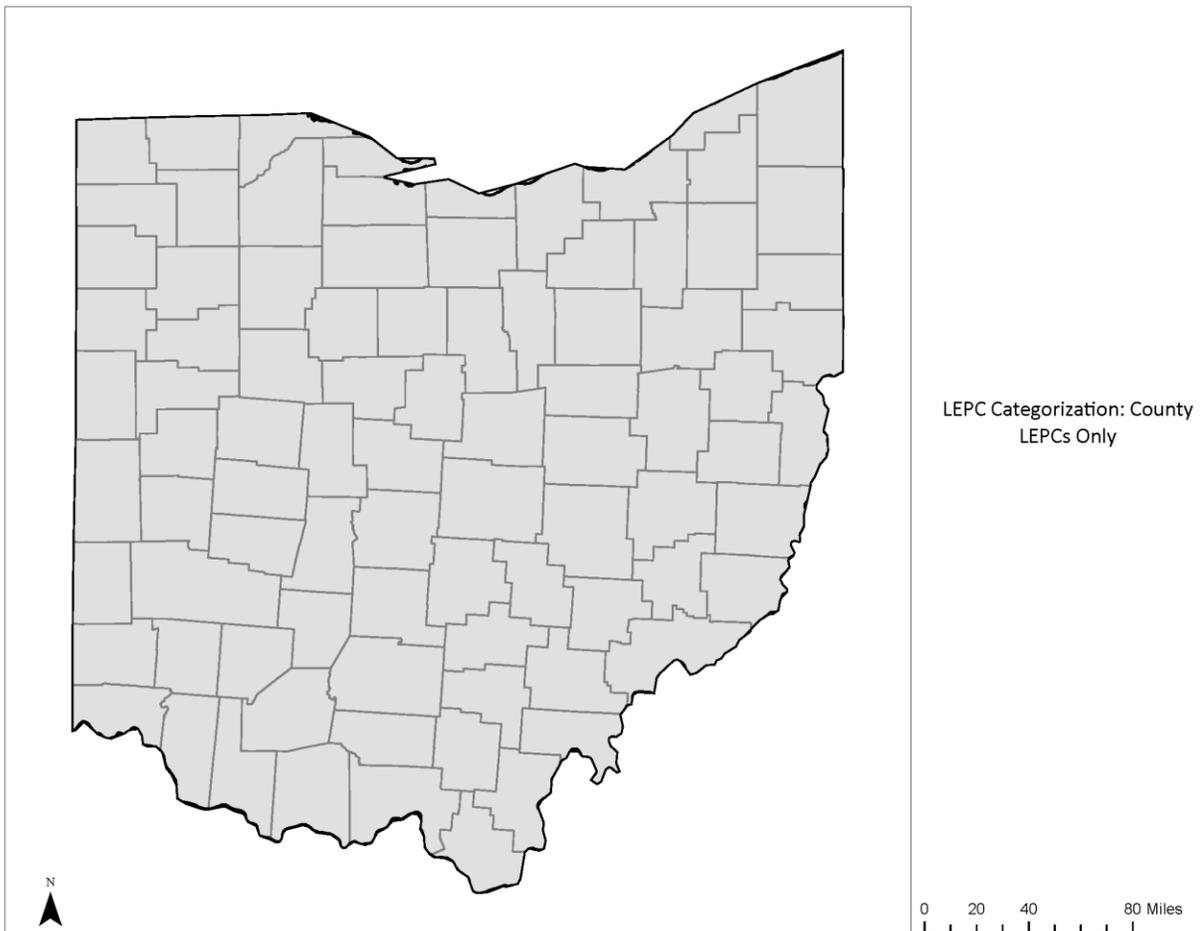




Ohio

Commission Name:	Ohio State Emergency Response Commission
Legal Basis:	State Law and Governor's Executive Order
Commission Chair:	Ohio Environmental Protection Agency (Ohio EPA) and Department of Public Safety
SERC Members:	Ohio EPA; Ohio Department of Public Safety (DPS); State Fire Marshal; Public Utilities Commission of Ohio (PUCO); State Highway patrol; Ohio Department of Health; Ohio Department of Natural Resources (ODNR); Attorney General Office (AGO); Department of Transportation; Environmental Advocacy (2 spots); Industry Trade Association (2 spots); Fire Fighting (3 spots) and Local Municipality/county EMA/LEPC (3 spots)
Roles and Responsibilities:	<i>Ohio EPA and Department of Public Safety</i> Supervise LEPCs and their activities
	<i>Department of Public Safety</i> Review emergency response plans
	<i>Ohio EPA and Department of Natural Resources</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
	<i>Ohio EPA</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	6
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; annual conference
Resources & Assistance for LEPCs:	Funding; Technical assistance; Guidance documents; Training; Outreach to facilities
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	Tier II filing fees; HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	4,192
Emergency Release Notification Requirements (EPCRA Section 304):	State program includes additional substances to federal requirements
Release Notification System:	State Hotline
Follow-up Reports Tracking:	Ohio EPA Emergency Response Spill Reporting System
AWIA Section 304 Requirements Established:	SERC has coordinated with Ohio EPA Division of Public Drinking and Ground Water and Office of Emergency Response. The Ohio EPA SERC Representative receives an email from Emergency Response if a spill was received that

	has potential to impact a public drinking water source. Field communication and response protocols from Emergency Response On-Scene Coordinators and public drinking water source takes place. Ohio EPA Emergency Response Unit has procedures and protocols in place to assure communication with public drinking water sources.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	8,945
Reporting Software:	Tier2 Submit
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Phone calls; conferences; direct mailings
AWIA Section 312 Requirements Established:	Provide upon request from AWIA with information provided in CAMEO and/or Excel spreadsheet.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically, postal mail
Fee for processing requests:	No

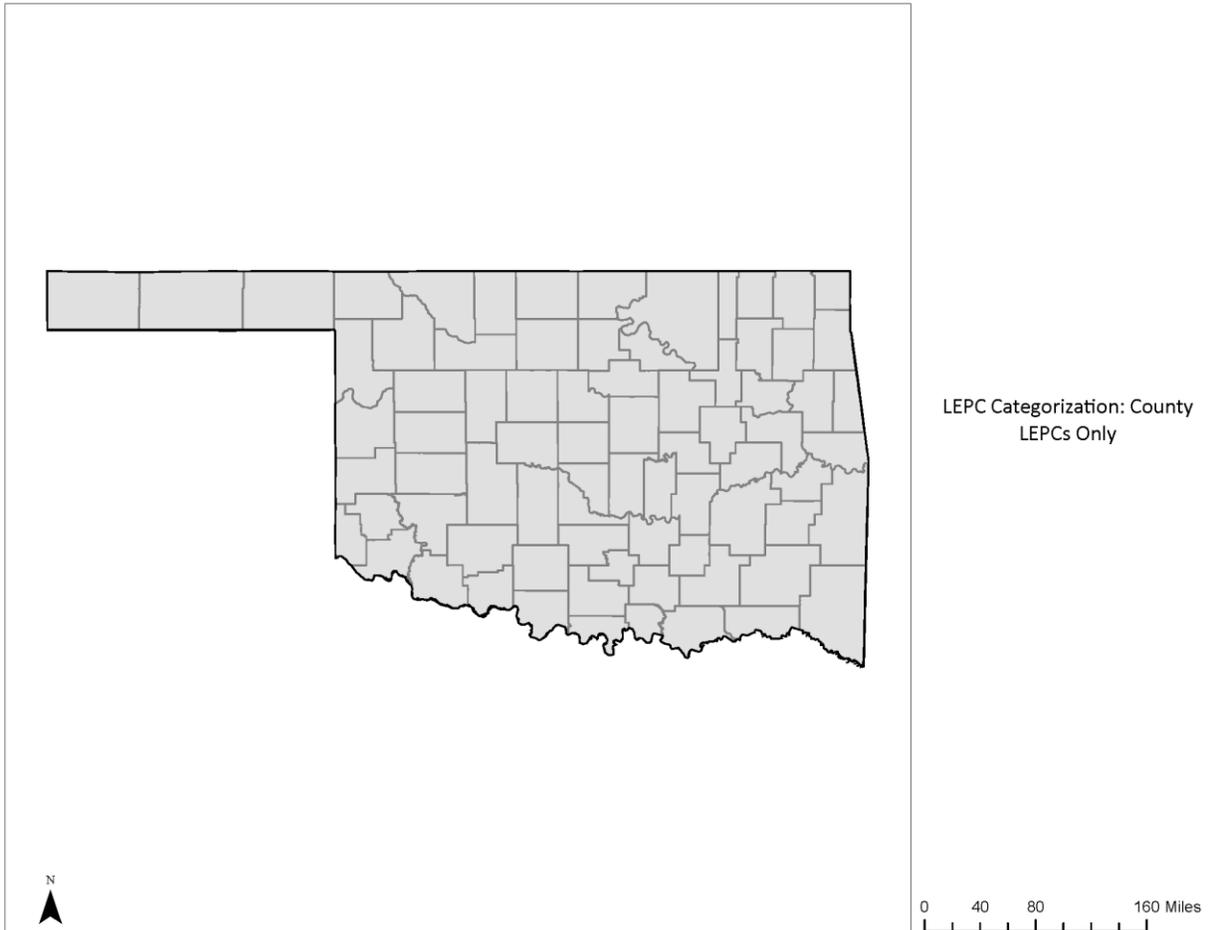




Oklahoma

Commission Name:	Oklahoma State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Department of Environmental Quality
SERC Members:	Office of Homeland Security; Department of Emergency Management and Homeland Security; Department of Environmental Quality; State Fire Marshal; Oklahoma Highway Patrol; Response Community; Regulated Industry
Roles and Responsibilities:	<i>Department of Environmental Quality</i> Supervise LEPCs and their activities; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>Department of Emergency Management and Homeland Security</i> Review emergency response plans
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls
Resources & Assistance to LEPCs:	Funding; Technical assistance; Training; Response equipment
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,281
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline
Follow-up Reports Tracking:	Database
AWIA Section 304 Requirements Established:	The DEQ also houses the State Drinking Water Primacy Agency and reports are shared between divisions.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	50,349
Reporting Software:	Tier2 Submit
One-stop Filing:	Yes
Tier II Filing:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; trade associations

<i>AWIA Section 312 Requirements Established:</i>	Housed within the same agency and data is shared via the CAMEO software and pdf.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No

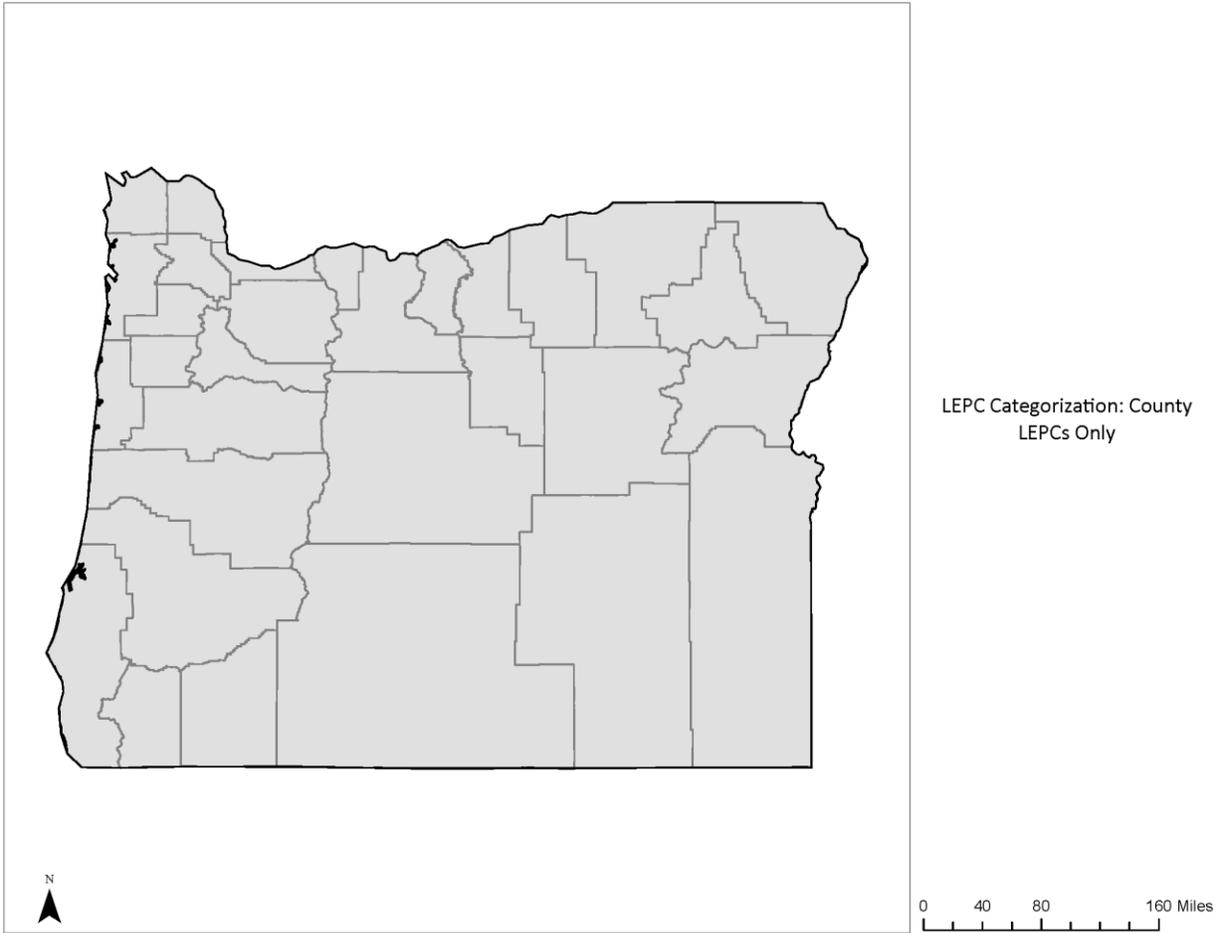




Oregon

Commission Name:	Oregon State Emergency Response Commission
Legal Basis:	State Law, Oregon Administrative Rule
Commission Chair:	State Fire Marshal's Office, Assistant Chief Deputy
SERC Members:	Oregon Office of State Fire Marshal; Office of Emergency Management; Oregon Department of Transportation; Oregon State Police; Governor's Office; Oregon Health Authority; Oregon Department of Environmental Quality; Local Emergency Management; Oregon Emergency Management Association; Local Emergency Planning Committees (LEPC); Industry; Oregon Fire Chiefs Association; Regional Hazardous Material Response Teams; Oregon Sheriffs Association; Tribes; Association of Oregon Counties
Roles and Responsibilities:	<i>State Fire Marshal's Office / LEPC Program Coordinator</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>Office of Emergency Management / Oregon Emergency Response System</i> Receive emergency release notifications (initial telephone notification)
	<i>Office of State Fire Marshal / EPRU Assistant Chief Deputy, LEPC Program Coordinator, Oregon Community Right to Know Unit</i> Receive emergency release notifications (follow-up written reports)
	<i>Office of State Fire Marshal / Community Right to Know Unit</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences every other year
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents; Training; Outreach to facilities; Onsite facility inspections; Oregon has a regional hazardous materials emergency response team program that covers the entire state. These teams provide assistance to the LEPCs in understanding threats presented by some facilities, as well as relationships that provide for a proactive response
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	State has more stringent requirements covering any substance with an SDS and lower threshold quantities

<i>Number of EHS Planning Facilities in CY20:</i>	2,150
<i>Emergency Release Notification Requirements (EPCRA Section 304):</i>	Follows federal program
<i>Release Notification System:</i>	State Hotline; 911
<i>Follow-up Reports Tracking:</i>	No
<i>AWIA Section 304 Requirements Established:</i>	Water purveyors have access to any release through notification by the OERS reports. These reports are emailed to all registrants within minutes of the release occurrence. OEM also provides assistance to the purveyors to put measures in place to ensure they are notified or assist them in getting on a notification list. All release notifications, at fixed site, or during transport are reported to OERS by the facility, transporter and/or first responders. Oregon state agencies have taken multiple steps to ensure all water purveyors are aware of the requirement and availability of the release information.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	State has more stringent requirements with additional chemicals covered, lower reporting thresholds, and requiring electronic reporting
<i>Number of Facilities Reported in CY 2020:</i>	13,322
<i>Reporting Software:</i>	CHS Manager with additional modification to address Oregon requirements
<i>One-stop Filing:</i>	No. SERC, LEPCs and fire departments have direct access to our online reporting system
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; direct mailings
<i>AWIA Section 312 Requirements Established:</i>	Our online reporting system, CHS Manager, gives access to anyone who requests the information from our program. There are several different “user” types in the system, the “citizen user is for anyone looking for information related to hazardous substance stored in their community.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically; postal mail; online system
<i>Fee for processing requests:</i>	Yes

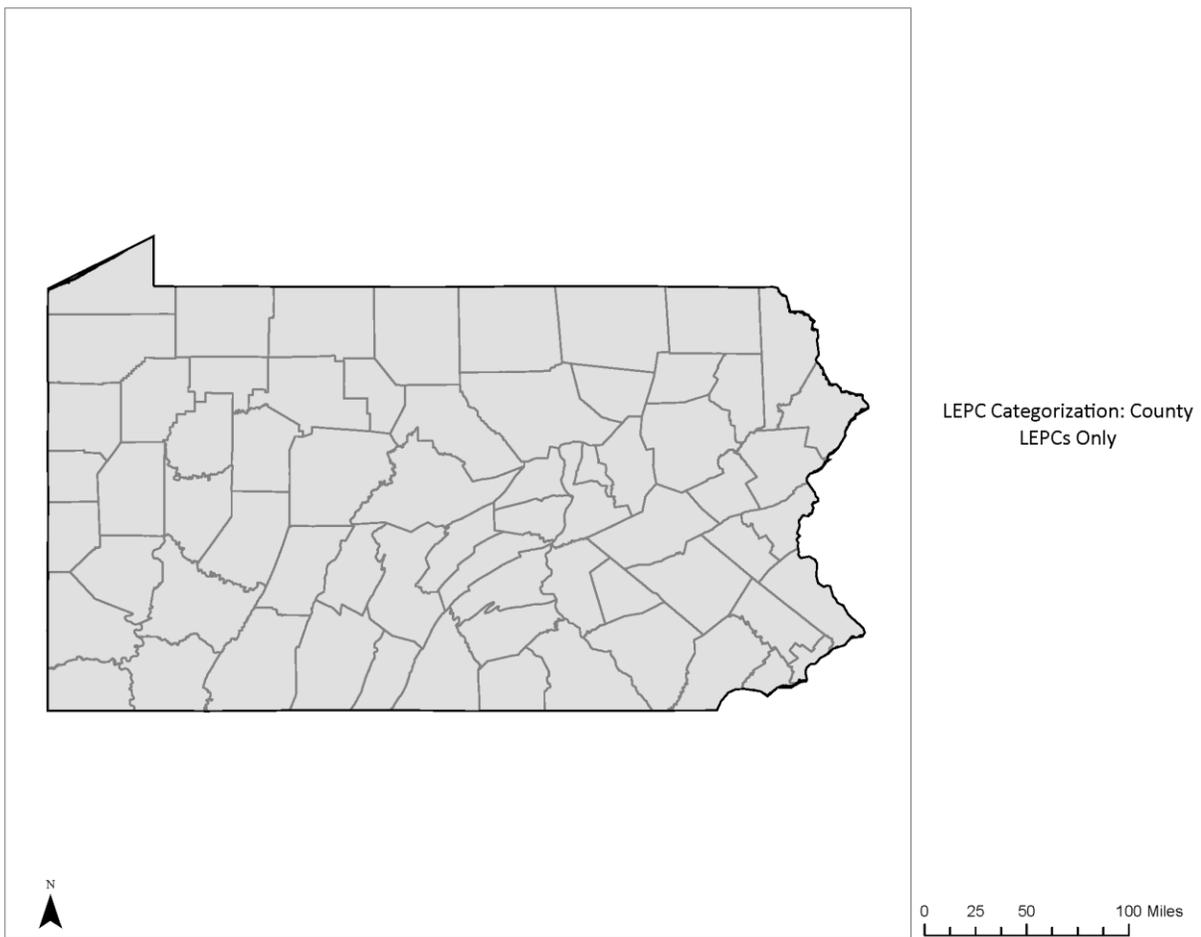




Pennsylvania

Commission Name:	Pennsylvania Emergency Management Council
Legal Basis:	State Law
Commission Chair:	PA Emergency Management Agency (PEMA)
SERC Members:	Dept of Agriculture; Dept of Environmental Protection (DEP); Attorney General; Department of Health; Fire Commission; Dept of Transportation; Dept of Community and Economic Development; Dept of Labor and Industry (L&I); State Police; Public Utility Commission; Dept of Human Services
Roles and Responsibilities:	<i>PEMA</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports)
	<i>PEMA/DEP</i> Receive emergency release notifications (initial telephone notification)
	<i>L&I</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	0
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Funding; Guidance documents; Training
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	4,692
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	State Operations Center to DEP to Facility 911 and follow up through WEBEOC. County EMAs handle it directly 95 percent of the time.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	More stringent requirements for new or existing hazardous chemicals that are on-site at a reportable quantity to be reported via an initial report

<i>Number of Facilities Reported in CY 2020:</i>	11,832
<i>Reporting Software:</i>	TIER II MANAGER™ online reporting system
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; conferences
<i>AWIA Section 312 Requirements Established:</i>	Non-disclosure agreement is signed by Water system, then special access to the PA Tier II Submit (PATTS) online system is granted.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access
<i>Fee for processing requests:</i>	No

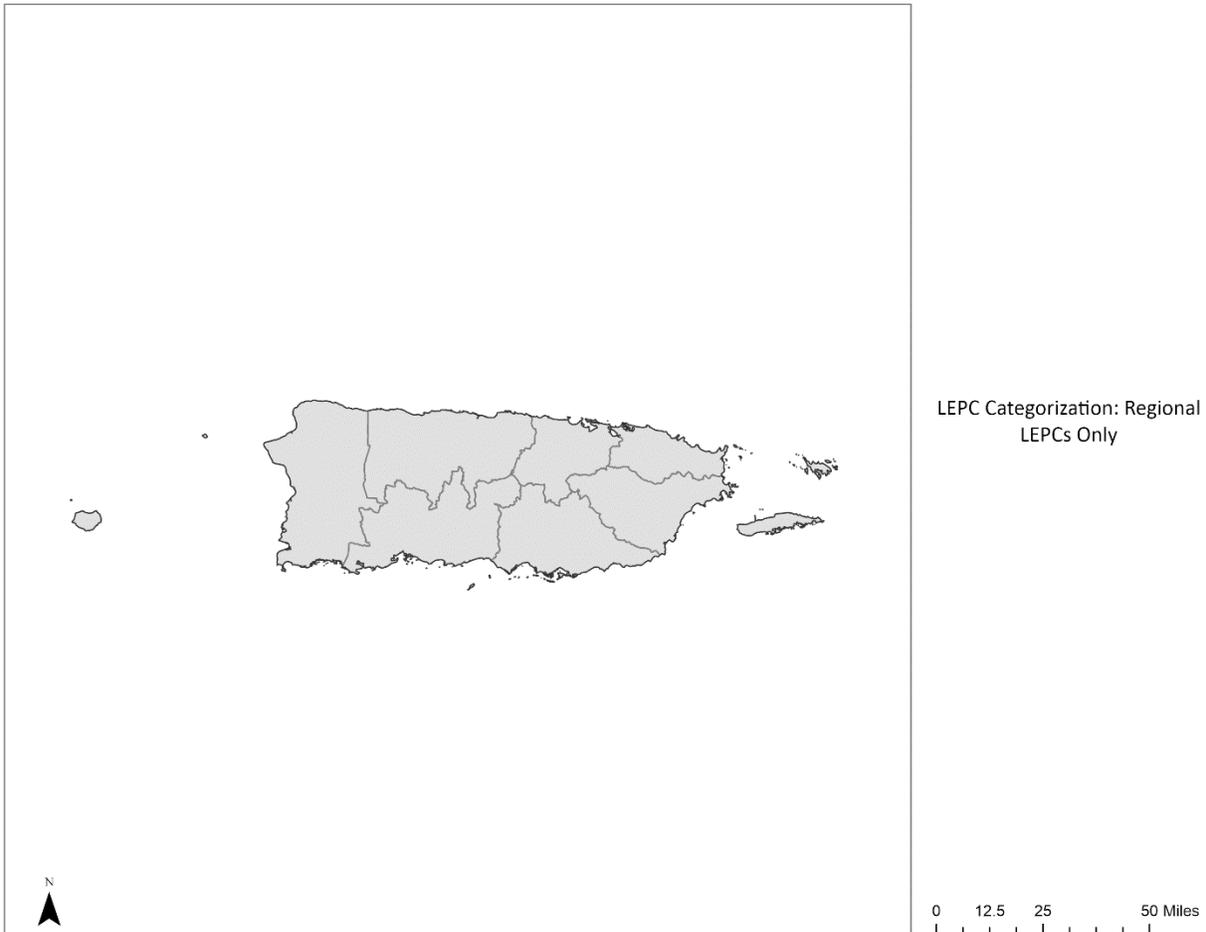




Puerto Rico

Commission Name:	Puerto Rico State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Secretary of the Department of Natural and Environmental Resources
SERC Members:	Department of Natural and Environmental Resources; Emergency Management Bureau; Transportation and Other Public Services Bureau; Department of Labor; Department of Health; University of Puerto Rico; Fire Bureau; Police Bureau; Department of Justice; PR Homeland Security; 7 Presidents of the LEPCs 5 Representatives of the Public Interest
Roles and Responsibilities:	<i>Manager of the Environmental Emergency Response Area, Chair of the SERC and representative of each LEPC</i> Receive emergency release notifications (follow-up written reports)
	<i>Environmental Emergency Response Division</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>SERC Chair</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Group email; quarterly in-person meetings
Resources & Assistance to LEPCs:	Guidance documents; Training
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	532
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	911; PR Emergency Management Bureau
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	In incidents where there is any impact to there is the possibility of impacting a body of water, we notify the incident to the Puerto Rico Aqueduct and Sewer Authority (PRASA) by telephone.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	909
Reporting Software:	Tier2 Submit
One-stop Filing:	No

<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Conferences
<i>AWIA Section 312 Requirements Established:</i>	The Community has to request the Tier II data to the SERC and once it is approved, the information is given to them.
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; provide data electronically
<i>Fee for processing requests:</i>	No

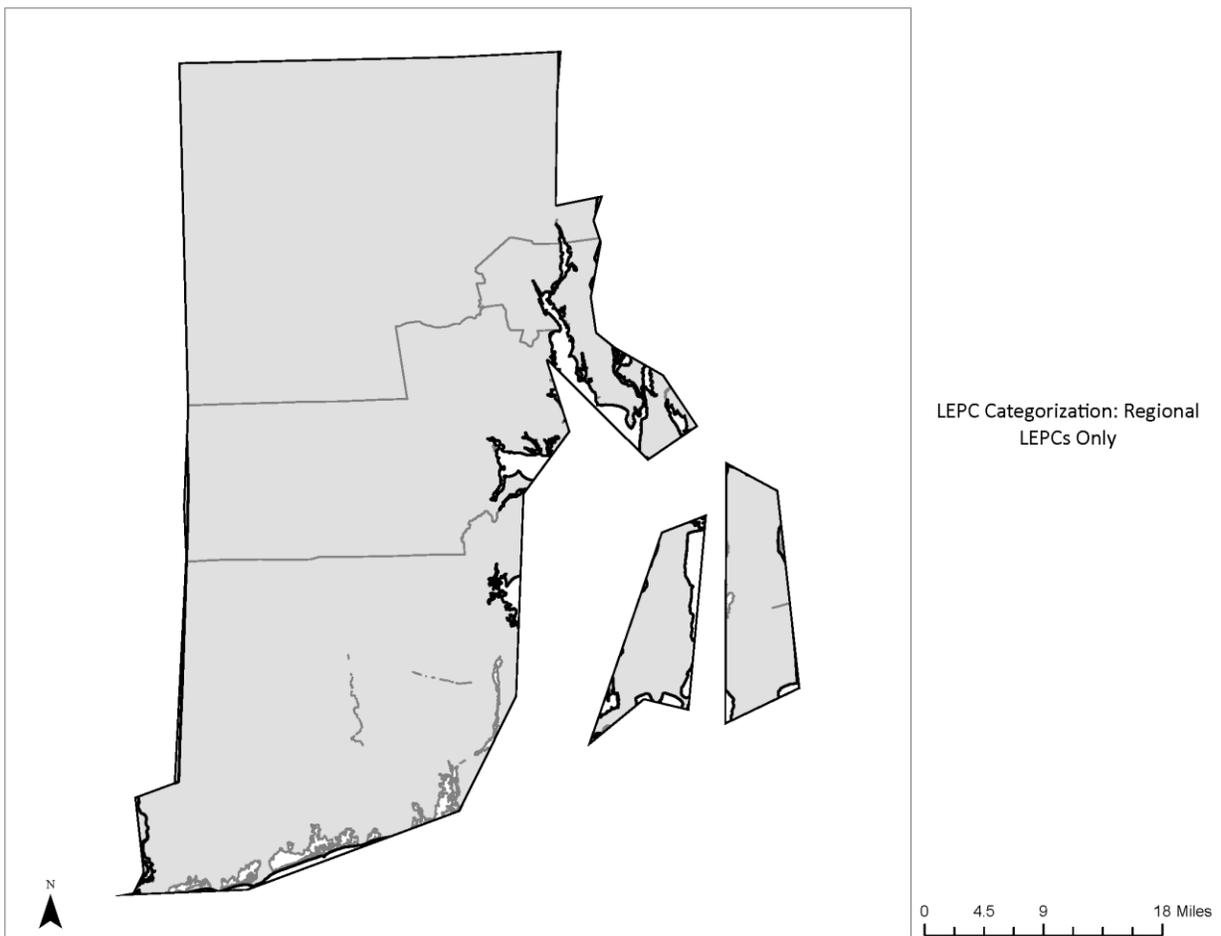




Rhode Island

Commission Name:	Rhode Island Emergency Response Commission
Legal Basis:	Governor’s Executive Order
Commission Chair:	Rhode Island Emergency Management Agency (RIEMA)
SERC Members:	Rhode Island Emergency Management Agency (RIEMA); Rhode Island Department of Environmental Management (RIDEM) Rhode Island Department of Administration (DOA), Division of Planning; Rhode Island Department of Labor & Training (DLT); Rhode Island Department of Health (RIDOH); Rhode Island Office of State Fire Marshal (OSFM); Rhode Island League of Cities and Towns
Roles and Responsibilities:	<i>RIEMA</i> Supervise LEPCs and their activities (ex: conducting exercises; attend meetings with community; assist in explaining potential risks to the community); Review emergency response plans; Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>Call Center</i> Receive emergency release notifications (initial telephone notification)
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Group emails
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	None
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	400
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911
Follow-up Reports Tracking:	If the spill is large enough the company is required to report the release to DEM. We have a site report system in which the DEM responder writes up their report
AWIA Section 304 Requirements Established:	DEM response personnel notify DOH if they identify the area as a drinking water aquifer. We requested that DOH receive NRC reports so that they can identify if the release is in an aquifer area of concern. That would eliminate issues with identification of Wellhead Protection Areas.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program

<i>Number of Facilities Reported in CY 2020:</i>	752
<i>Reporting Software:</i>	Tier2 Submit
<i>One-stop filing:</i>	Yes
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Mass email; phone calls; workshops with EPA
<i>AWIA Section 312 Requirements Established:</i>	Any Tier II information that is requested from the Office of Emergency Response, DEM will be reviewed and then released to the requesting person or agency to meet the required AWIA amendments.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access; direct contact with requestor to determine what information may be supplied
<i>Fee for processing requests:</i>	No

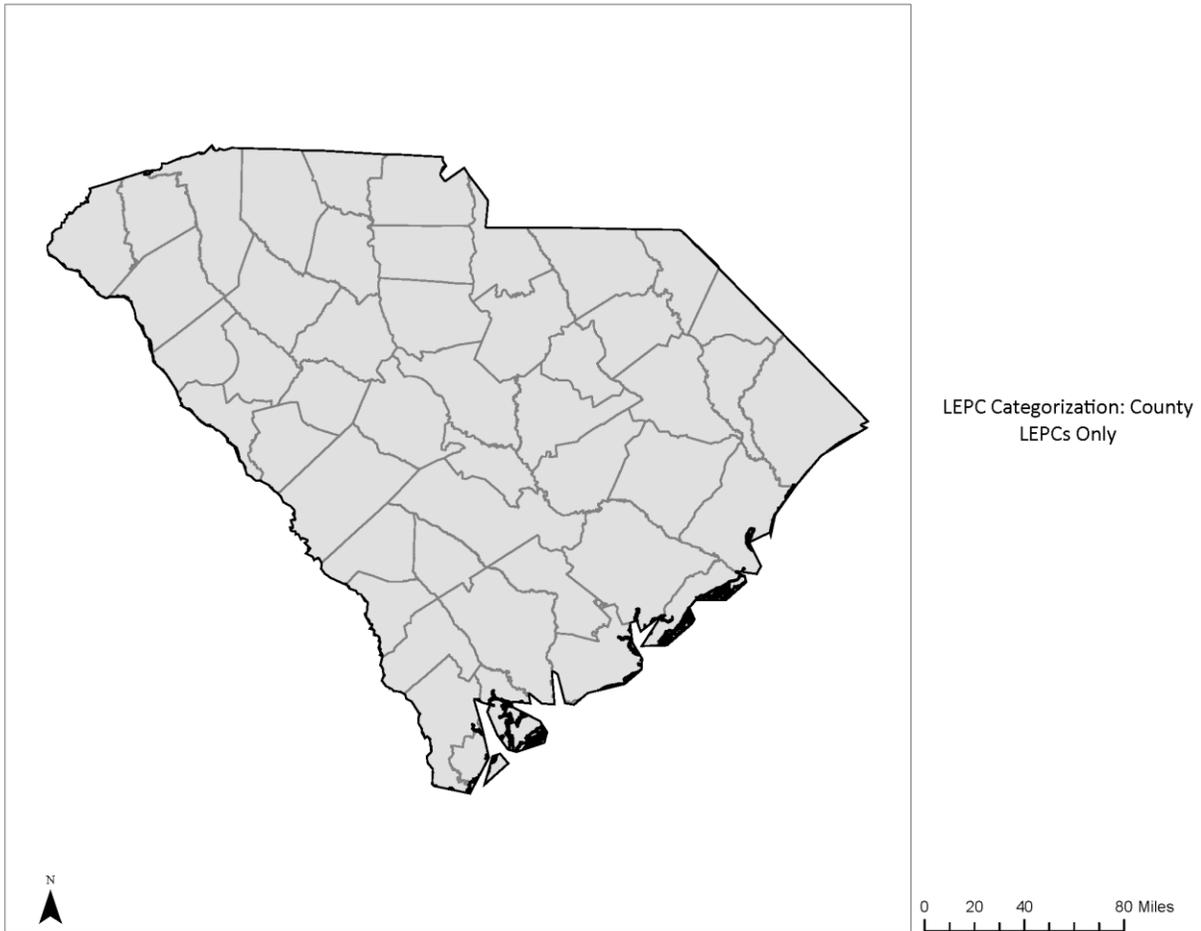




South Carolina

Commission Name:	South Carolina State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	South Carolina Emergency Management Division
SERC Members:	SC Emergency Management Division; Office of the Governor; Department of Health and Environmental Control (DHEC), Director of Environment Affairs; South Carolina Department of Public Safety; State Law Enforcement Division; South Carolina Department of Labor, Licensing and Regulation (LLR), State Fire Marshal; Colonial Pipeline Company; Director of Compliance & Emerging Technology and. Education, Electric Cooperatives of SC; Denkai America Incorporated; Lancaster County Emergency Management Division; Charleston Branch, Pilots Association
Roles and Responsibilities:	<i>SCDHEC</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Technical assistance; Guidance documents; Training
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	SLED allocates funds
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	1,247
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline, 911
Follow-up Reports Tracking:	DHEC E-permitting spill database
AWIA Section 304 Requirements Established:	SC DHEC is the state reporting point for these notifications.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	4,393
Reporting Software:	E-Plan, Tier2 Submit
One-stop Filing:	Yes
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Mass email, phone calls, LEPC meetings

<i>AWIA Section 312 Requirements Established:</i>	They request the information locally and SC DHEC provides information.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Reading room access; direct contact with requestor to determine what information may be supplied
<i>Fee for processing requests:</i>	No

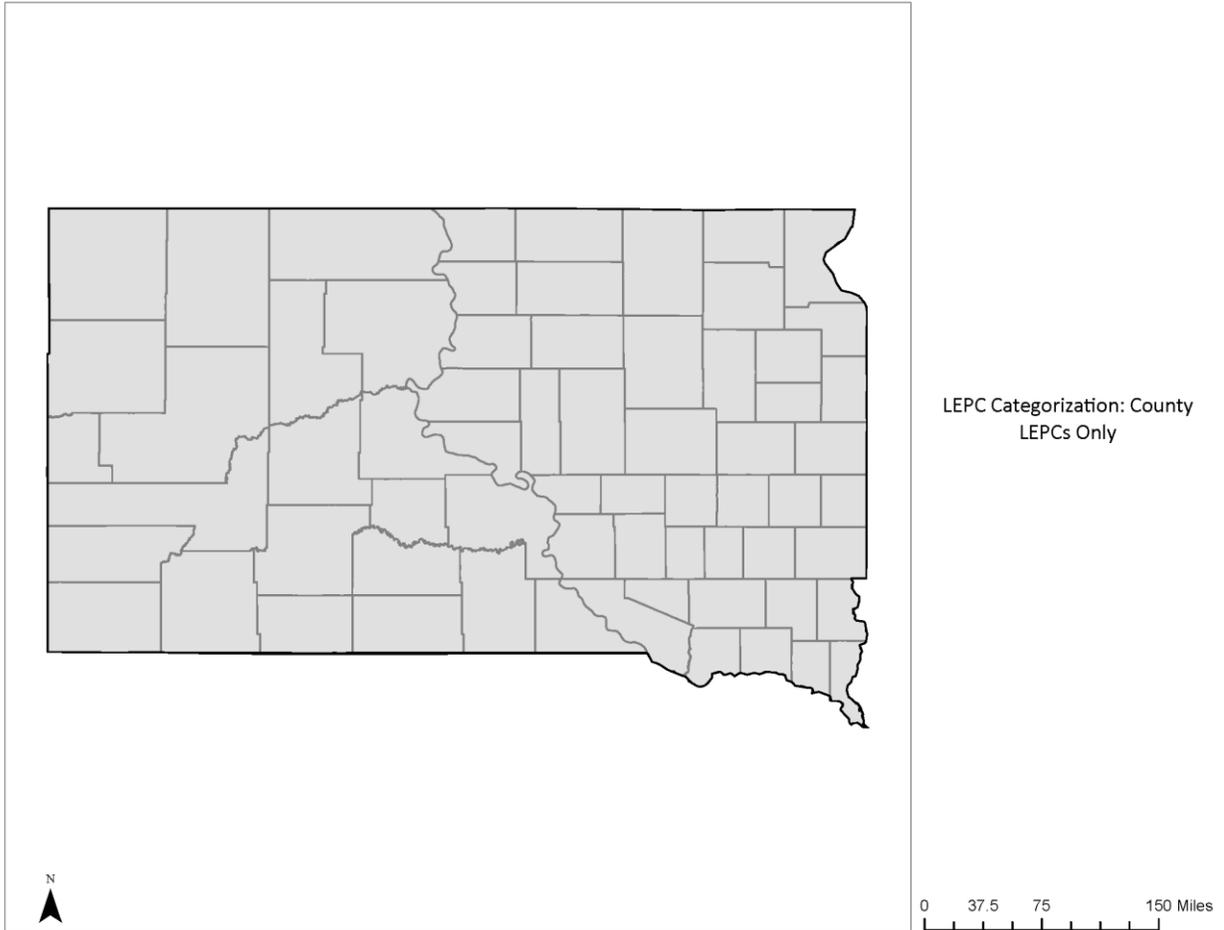




South Dakota

Commission Name:	South Dakota State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Dept. of Agriculture and Natural Resources
SERC Members:	Department of Agriculture and Natural Resources (DANR); SD Department of Transportation; Department of Public Safety; Chemical Industry; Elected or appointed member political subdivision; Agricultural Business; Health Professional; Fire Department; Local Emergency Planning Committee
Roles and Responsibilities:	<i>DANR</i> Supervise LEPCs and their activities; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>Office of Emergency Management</i> Review emergency response plans
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email, phone calls
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents; Outreach to facilities
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	Tier II filing fees, Toxics Release Inventory fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	603
Emergency Release Notification Requirements (EPCRA Section 304):	Not provided
Release Notification System:	State Hotline
Follow-up Reports Tracking:	Custom Application
AWIA Section 304 Requirements Established:	DANR internally informs the Drinking Water program who then inform the systems of a release
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	1,690
Reporting Software:	State-developed online reporting tool
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; conferences; direct mailings

<i>AWIA Section 312 Requirements Established:</i>	N/a
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	

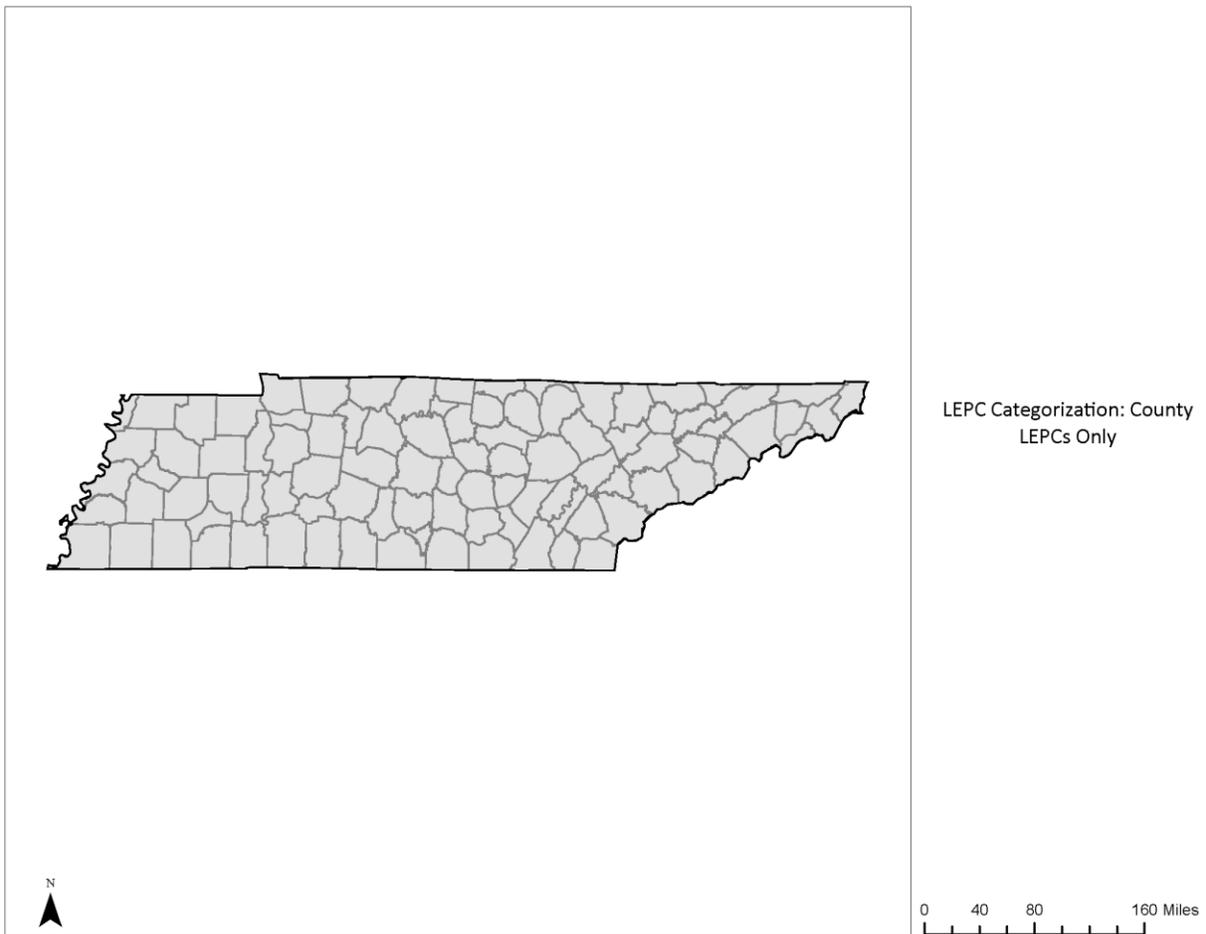




Tennessee

Commission Name:	Tennessee State Emergency Response Commission
Legal Basis:	Governor's Executive Order
Commission Chair:	Tennessee Emergency Management Agency (TEMA) Director
SERC Members:	TEMA; Tennessee Department of Health (TDH); Tennessee Department of Transportation (TDOT); Tennessee Occupational Safety and Health Administration (TOSHA); Tennessee Highway Patrol (THP); Tennessee Air National Guard (TANG); Tennessee Department of Environment and Conservation (TDEC); Tennessee Department of Military (TDM); University of Tennessee Center for Industrial Services (UTCIS)
Roles and Responsibilities:	<i>TEMA</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
	<i>TEMA, TDEC, THP</i> Receive emergency release notifications (initial telephone notification)
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Group email; in-person meetings; annual conference
Resources & Assistance to LEPCs:	Funding; Technical assistance; Guidance documents
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	2,119
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline
Follow-up Reports Tracking:	Yes, via WebEOC
AWIA Section 304 Requirements Established:	Upon receipt of notification, TDEC is notified which in turn will notify the State Drinking Water Primary Agency. Upon receipt of notification of spill affecting drinking water, TDEC and the local Emergency Management Agency is notified.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	4,113
Reporting Software:	E-Plan

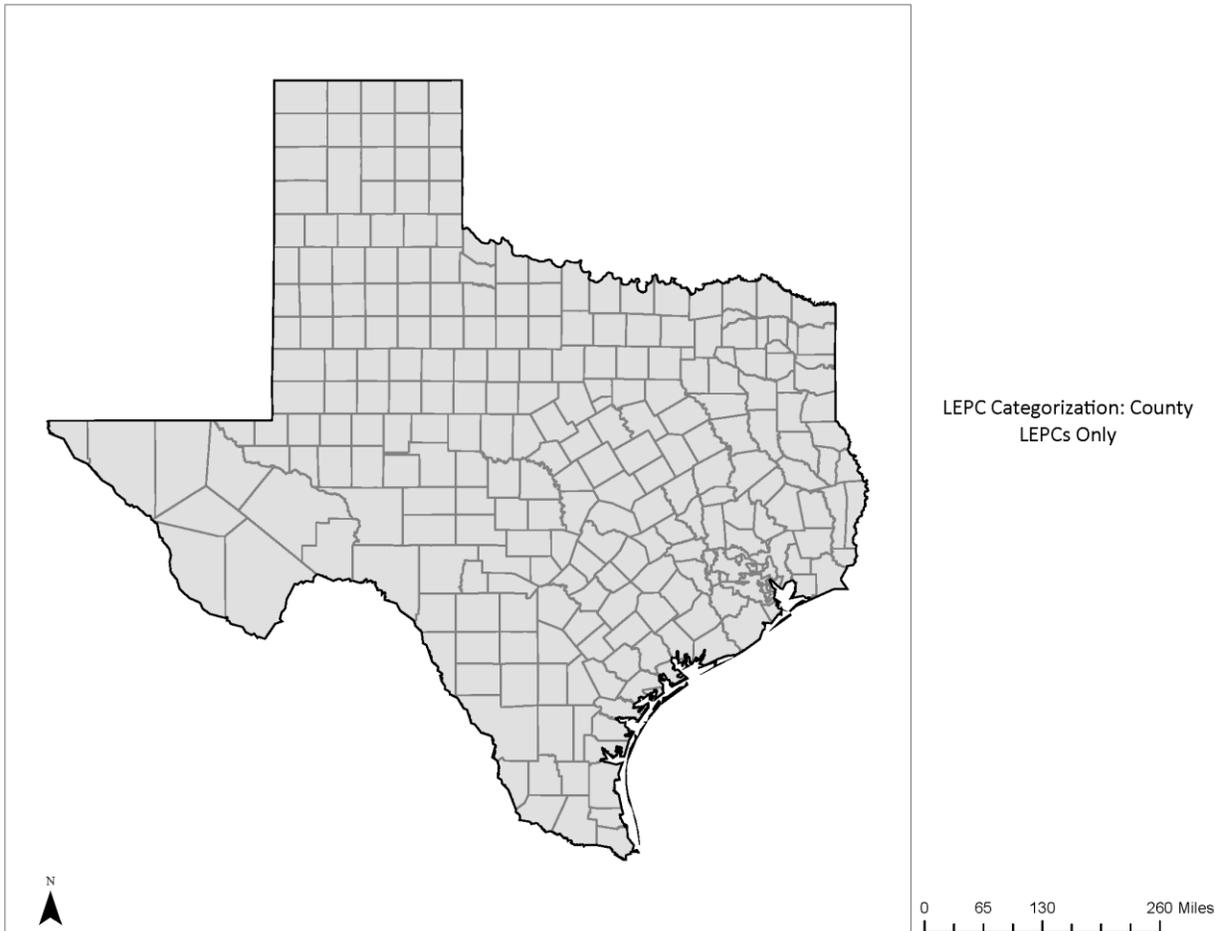
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Done locally at the LEPC level
<i>AWIA Section 312 Requirements Established:</i>	Information may be obtained through our Hazmat Branch and Public Relations Offices through a request for information (RFI).
Public Access to EPCRA Information (EPCRA Section 324):	Reading room access; provide data electronically
<i>Fee for processing requests:</i>	No





Commission Name:	Texas State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Texas Division of Emergency Management (TDEM)
SERC Members:	Public Utility Commission of Texas; Railroad Commission of Texas; Texas A&M AgriLife Extension Service; Texas A&M Engineering Extension Service; Texas A&M Forest Service; Texas Animal Health Commission; Texas Commission on Environmental Quality (TCEQ); Texas Department of Agriculture; Texas Department of Public Safety; Texas Department of State Health Services; Texas Department of Transportation; Texas Division of Emergency Management; Texas General Land Office; Texas Military Department; Texas Parks and Wildlife Department
Roles and Responsibilities:	<i>TDEM</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>TCEQ & TDEM</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>TCEQ</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings
Resources & Assistance to LEPCs:	Guidance documents; Training
Tribal Representatives SERC/LEPC:	Unknown
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	16,692
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; 911; TCEQ notification line
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	TDEM's State Operations Center which serves as the state's 24/7 Warning Point shares notifications with TCEQ, the state's regulatory agency that oversees public drinking water systems.

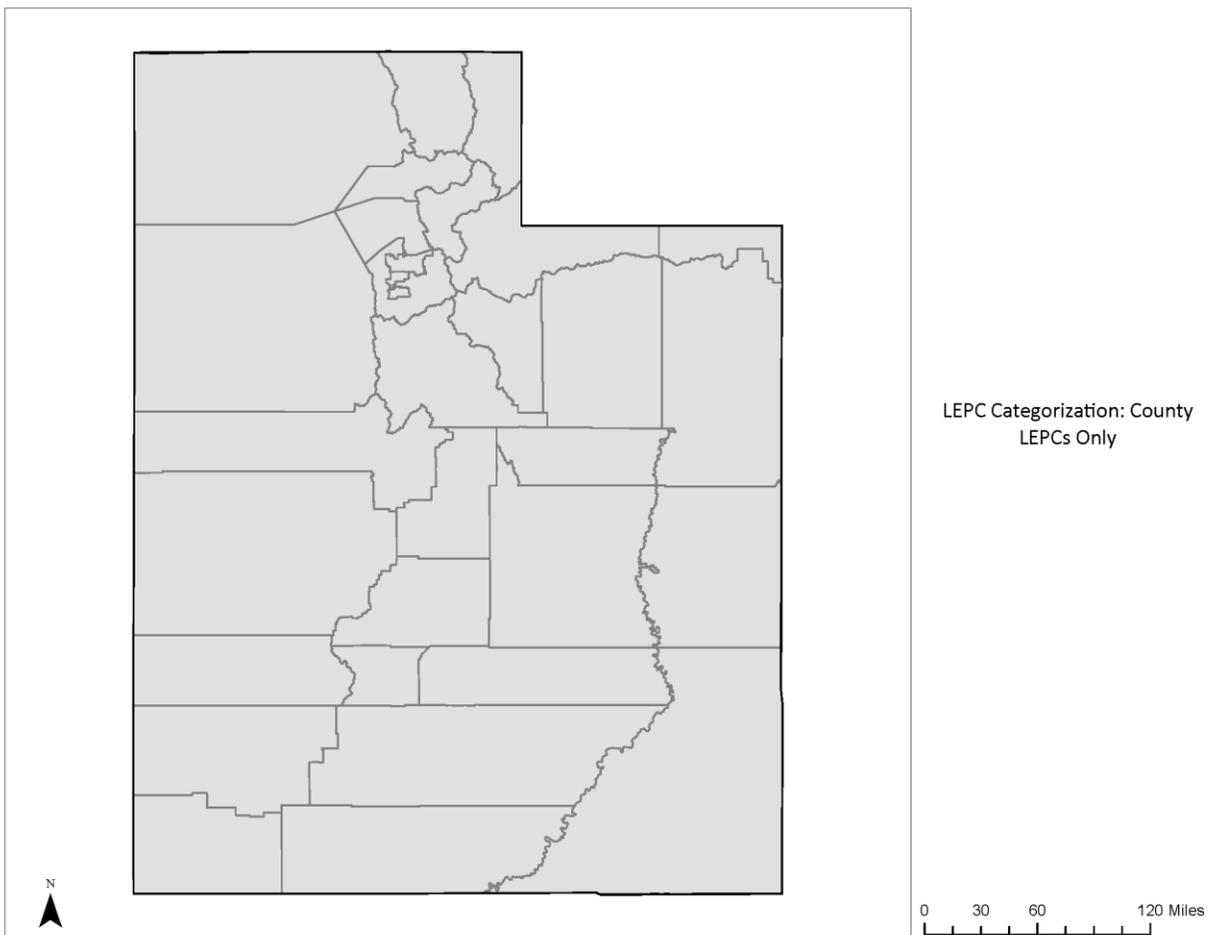
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State has more stringent requirements than federal
Number of Facilities Reported in CY 2020:	80,418
Reporting Software:	State-developed online reporting tool
One-stop Filing:	No
Tier II Filing Fee:	Yes
Outreach to Facilities for Compliance:	Webinars; mass email; conferences
AWIA Section 312 Requirements Established:	When Tier II data is requested for by a CWS for AWIA amendments, we verify the requestor is from the CWS or is representing the CWS, then we search for the data requested and export the data into either an XML or PDF file format for the CWS.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
Fee for processing requests:	TCEQ charges for reimbursement of the costs incurred when responding to Public Information Requests in accordance with state law





Commission Name:	Hazardous Chemical Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	(Co-Chairs) Commissioner Jess Anderson and Executive Director Kim Shelley, Department of Environmental Quality
SERC Members:	Department of Public Safety; Department of Environmental Quality
Roles and Responsibilities:	<i>State Fire Marshal's Office</i> Supervise LEPCs and their activities; Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
	<i>DEQ</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Group email; phone calls; in-person meetings; conferences; webinars
Resources & Assistance to LEPCs:	Funding; Guidance documents; Training
Tribal Representatives SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; brownfields
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows federal program
Number of EHS Planning Facilities in CY20:	897
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline
Follow-up Reports Tracking:	No
AWIA Section 304 Requirements Established:	Spills are reported through the DEQ hotline. DDW is notified through an email of the spill report or direct notification by the Duty Officer. DDW determines if there is a risk to any water system(s) and notifies the PWS by phone and email.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	4,074
Reporting Software:	Tier2 Submit
One-stop Filing:	No
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Webinars; conferences

<p><i>AWIA Section 312 Requirements Established:</i></p>	<p>Community water systems can access the DEQ's online Tier 2 Submission Portal's GRAMA Search to look up Tier 2 reports. Assistance can be provided by the DEQ Tier 2 Coordinator.</p>
<p><i>Public Access to EPCRA Information (EPCRA Section 324):</i></p>	<p>Reading room access; provide data electronically; postal mail</p>
<p><i>Fee for processing requests:</i></p>	<p>The first 10 copies are free, then \$0.05 each per side. If the document is not already available online or in electronic form, it is \$0.25 each per side scanned after the first 10 which are free. Also, a governmental entity may charge a reasonable fee to cover the governmental entity's actual cost of providing a record</p>



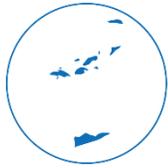


Vermont

Commission Name:	Vermont State Emergency Response Commission
Legal Basis:	State Law and Governor's Executive Order
Commission Chair:	Kim Lapierre, Division of Emergency Management and Homeland Security
SERC Members:	Commissioner of Public Safety; Secretary of Natural Resources; Secretary of Transportation; Commissioner of Health; Secretary of Agriculture, Food and Markets; Commissioner of Labor; Director of Fire Safety; Director of Emergency Management; local government; Local Emergency Planning Committee; Regional Planning Commission; fire service; law enforcement; emergency medical service; hospital; transportation entity
Roles and Responsibilities:	<i>SERC</i> Supervise the one state-wide LEPC Review emergency response plans
	<i>Agency of Natural Resources (ANR), Division of Fire Safety (DFS)</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
	<i>DFS</i> Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>DFS, DPS</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email, phone calls, annual in-person meetings, conferences
Resources & Assistance to LEPCs:	Funding; Technical assistance; Training; Response equipment; Outreach to facilities; Onsite facility inspections
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	HMEP grant; Tier II filing fees
Emergency Planning Notification Requirements (EPCRA Section 302):	State program – lower thresholds and requires transportation routes
Number of EHS Planning Facilities in CY20:	1,324
Emergency Release Notification Requirements (EPCRA Section 304):	State has more stringent requirements
Release Notification System:	State Hotline; 911
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	All Hazmat releases reported to the Vermont Emergency Management (VEM) watch officer are reported to the Water Quality units and community water district.

Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program - additional chemicals and lower reporting thresholds
<i>Number of Facilities Reported in CY 2020:</i>	Not provided
<i>Reporting Software:</i>	Tier2 Submit
<i>One-stop Filing:</i>	Not provided
<i>Tier II Filing Fee:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass email, conferences, direct mailings
<i>AWIA Section 312 Requirements Established:</i>	All Hazmat releases reported to the Vermont Emergency Management (VEM) watch officer are reported to the Water Quality units and community water district.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically
<i>Fee for processing requests:</i>	No





Virgin Islands

Commission Name:	U.S. Virgin Islands State Emergency Response Commission
Legal Basis:	Governor’s Executive Order
Commission Chair:	Department of Planning and Natural Resources
SERC Members:	Director of the Virgin Islands Territorial Emergency Management Agency; Commissioner of Planning and Natural Resources; Director of the Division of Environmental Protection, Department of Planning and Natural Resources; Commissioner of Police; Director of the Division of Environmental Enforcement, Department of Planning and Natural Resources; Director of the Division of Comprehensive and Coastal Zone Planning, Department of Planning and Natural Resources; Director of the Division of Fish and Wildlife, Department of Planning and Natural Resources; Commissioner of Labor; Commissioner of Public Works; Virgin Islands Waste Management Authority; Attorney General; Director of the Virgin Islands Fire Service; Commissioner of Health; Executive Director of the Virgin Islands Port Authority; Waste Management Authority; President of the University of the Virgin Islands; Two Virgin Islands representatives to the "Caribbean Response Team" as designated by the Governor; Two representatives from the private sector with experience in environmental emergencies, to be appointed by the Governor; Superintendent of the Virgin Islands National Park; Virgin Islands Adjutant General; Virgin Islands National Guard
Roles and Responsibilities:	<i>VI Territorial Emergency Management Agency</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>VI Fire Service</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>Department of Planning and Natural Resources</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized email
Tribal Representatives SERC/LEPC:	No
Sources of Funding:	Not provided
Emergency Planning Notification Requirements (EPCRA Section 302):	Follow federal program
Number of EHS Planning Facilities in CY20:	0

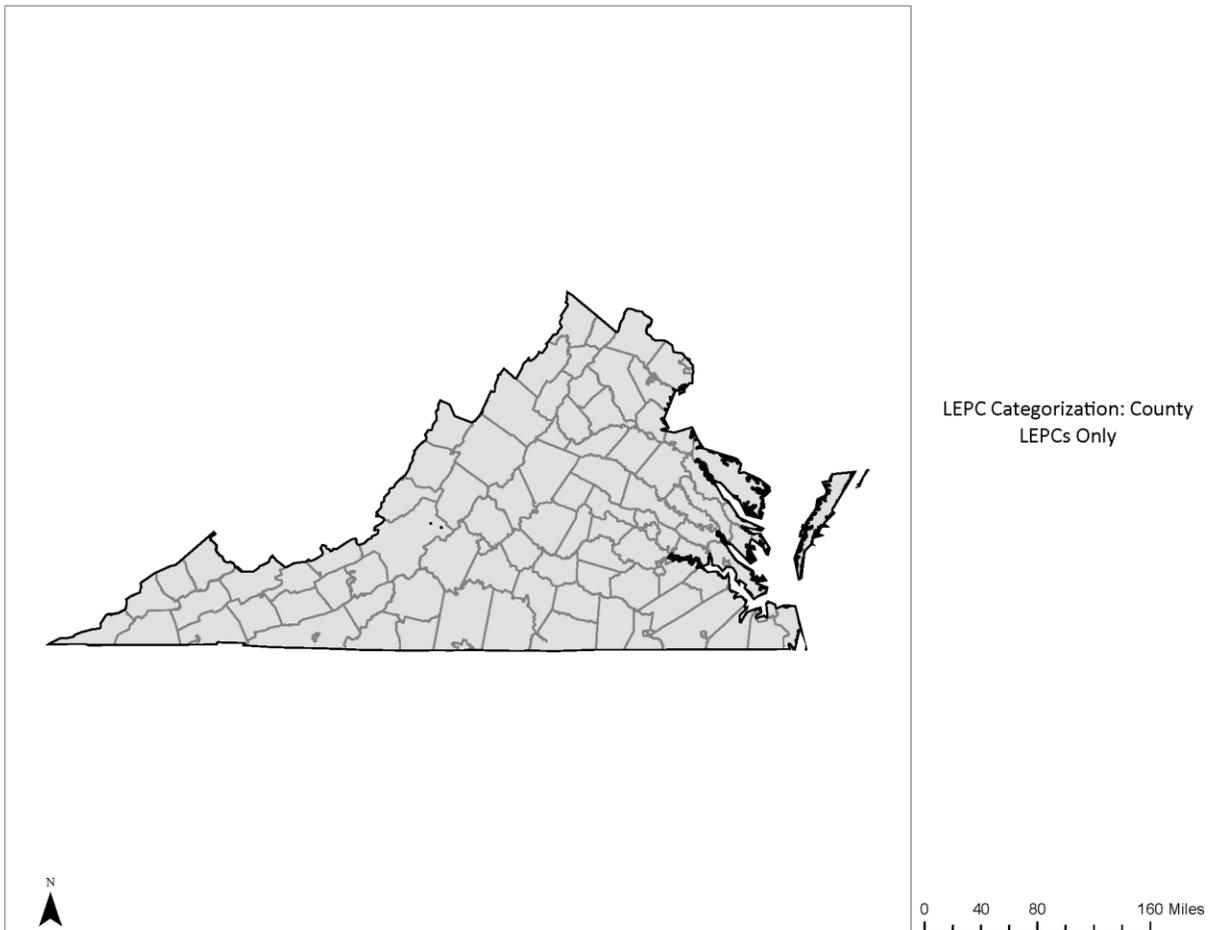
<i>Emergency Release Notification Requirements (EPCRA Section 304):</i>	Follows federal program
<i>Release Notification System:</i>	911; VI Fire Service line
<i>Follow-up Reports Tracking:</i>	No
<i>AWIA Section 304 Requirements Established:</i>	N/a
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	Not provided
<i>Reporting Software:</i>	Tier2 Submit; Electronic reporting
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	None
<i>AWIA Section 312 Requirements Established:</i>	N/a
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No



Virginia

Commission Name:	Virginia State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Virginia Department of Emergency Management
SERC Members:	Virginia House of Delegates; Virginia Senate; non-legislative citizens; Virginia Lieutenant Governor; Secretary of Supreme Court of Virginia; Secretary of Administration; Secretary of Commerce and Trade; Secretary of Health and Human Resources; Secretary of Transportation; Secretary of Public Safety and Homeland Security; Secretary of Veterans and Defense Affairs; Department of Emergency Management; Department of Health; Virginia State Police; local first responders; local government; allied health professionals; public sector business
Roles and Responsibilities:	<i>Virginia Department of Emergency Management</i> Supervise LEPCs and their activities
	<i>Virginia Department of Emergency Management and Virginia Department of Environmental Quality</i> Review emergency response plans; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
	<i>Virginia Department of Environmental Quality</i> Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; annual conference
Resources and Assistance provided for LEPCs:	Funding; Technical assistance; Community risk communication; Response; Outreach to facilities
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds
Emergency Planning Notification Requirements (EPCRA Section 302):	Follow federal program
Number of EHS Planning Facilities in CY20:	2,100
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	State Hotline; SERC office
Follow-up Reports Tracking:	Spreadsheet
AWIA Section 304 Requirements Established:	State drinking water primacy agency has access to the Statewide Alert Network (SWAN) and receives copies of

	incident reports and updates from the Virginia Emergency Operations Center. They can also be notified by state On-Scene Coordinators if necessary or if notification has not been confirmed.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows federal program
Number of Facilities Reported in CY 2020:	4,704
Reporting Software:	Tier2 Submit
One-stop Filing:	No
Tier II Filing Fee:	No
Outreach to Facilities for Compliance:	Phone calls; in-person meetings; website information
AWIA Section 312 Requirements Established:	The Virginia Department of Health – Office of Drinking Water has a reciprocal information sharing agreement with the Virginia Department of Environmental Quality.
Public Access to EPCRA Information (EPCRA Section 324):	Provide data electronically; postal mail
Fee for processing requests:	No

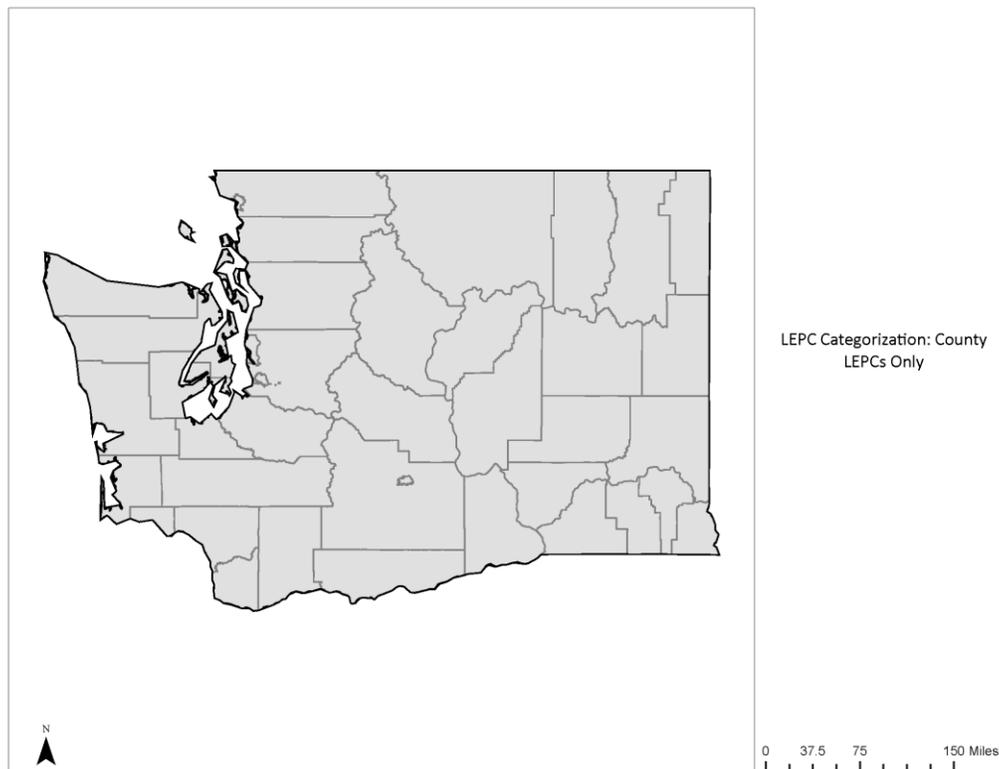




Washington

Commission Name:	Washington State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Chief Patrick Reid, Pasco Fire Department
SERC Members:	Washington Fire Chiefs Association; Washington State Patrol – State Fire Marshal’s Office; Washington State Department of Ecology; Washington Military Department; Washington State Department of Labor and Industries; Washington State Department of Transportation; Washington State Department of Health; Local Emergency Manager; Westside LEPC Representative; Eastside LEPC Representative; Private Industry – Bellingham Cold Storage; Transportation Industry – Washington Trucking Association; Washington State Department of Agriculture
Roles and Responsibilities:	<i>Washington Military Department, Emergency Management Division (EMD), Hazardous Materials Planning Program</i> Supervise LEPCs and their activities
	<i>Washington Military Department, Emergency Management Division, Hazardous Materials Planning Program, Washington Department of Ecology, and Washington State Patrol – State Fire Marshal’s Office</i> Review emergency response plans
	<i>Washington Military Department, Emergency Management Division; Alert and Warning Center</i> Receive emergency release notifications (initial telephone notification)
	<i>Department of Ecology (ECY)</i> Receive emergency release notifications (follow-up written reports), Receive hazardous chemical inventories (Tier II or State equivalent)
	<i>EMD and ECY</i> Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; monthly in-person meetings; annual conference
Resources & Assistance for LEPCs:	Community risk communication; Guidance documents; Training; Response equipment; Outreach to facilities; Onsite facility inspections; Sub-grant funding for exercise, training, and planning
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds, PHMSA grant, EPA grant

Emergency Planning Notification Requirements (EPCRA Section 302):	State program – requires reporting of crude oil by rail
<i>Number of EHS Planning Facilities in CY20:</i>	2,774
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
<i>Release Notification System:</i>	State Hotline; 911; SERC office
<i>Follow-up Reports Tracking:</i>	Custom application
<i>AWIA Section 304 Requirements Established:</i>	In Washington State, the Department of Health (DOH) is the primacy agency. ECY notifies DOH of releases, both EPCRA and non-EPCRA, and does not distinguish between the two. Our notification process is the same for both transportation-related or fixed facility-related releases.
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	State program – requires exact quantity of chemicals present rather than ranges as in the federal program
<i>Number of Facilities Reported in CY 2020:</i>	4,784
<i>Reporting Software:</i>	State-developed online tool
<i>One-stop Filing:</i>	No
<i>Tier II Filing Fee:</i>	No
<i>Outreach to Facilities for Compliance:</i>	Mass email; conferences; ECY Website and newsletter (Shop Talk) sent out 3-4 times per year
<i>AWIA Section 312 Requirements Established:</i>	N/a
Public Access to EPCRA Information (EPCRA Section 324):	ECY requires Public Information Requests to go through an electronic “Public Records Request Center”
<i>Fee for processing requests:</i>	No

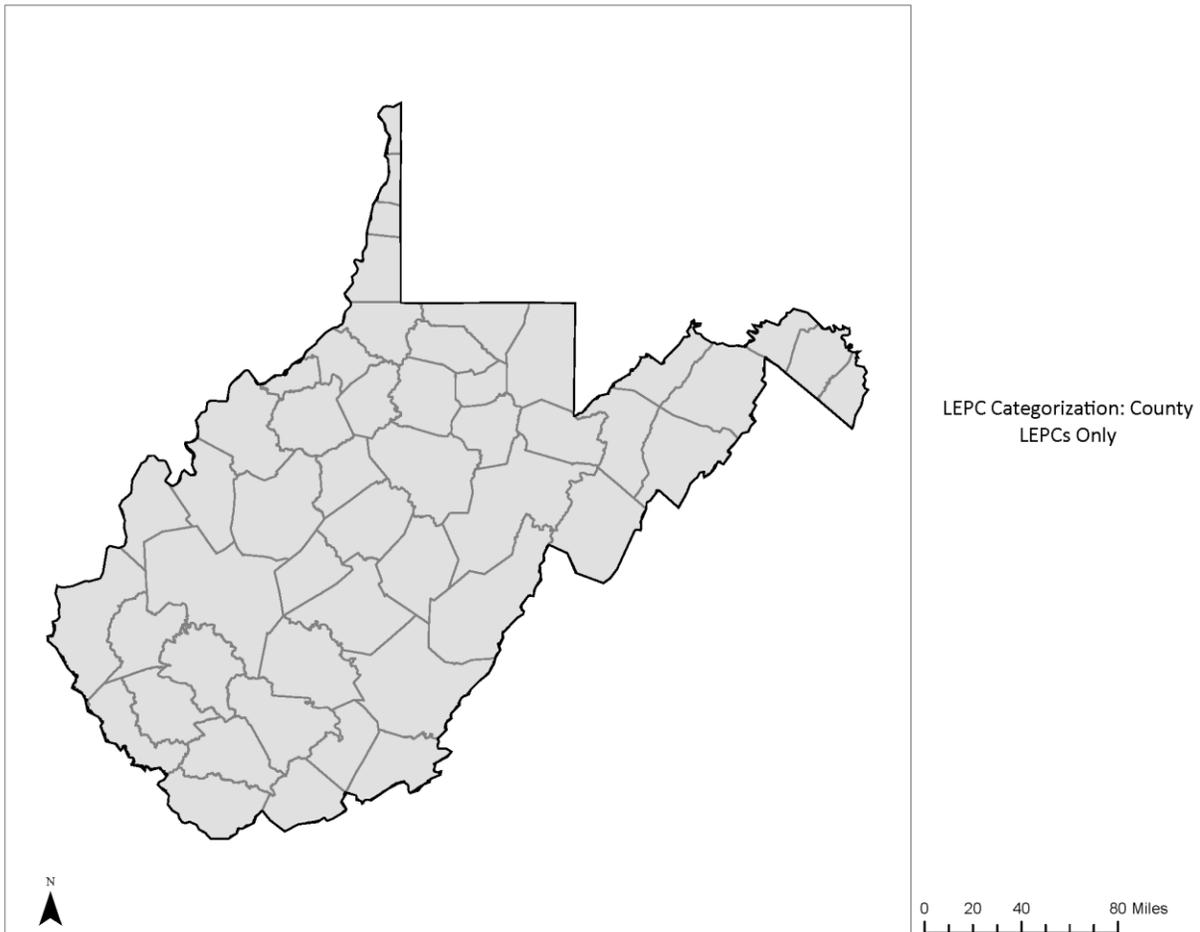




West Virginia

Commission Name:	West Virginia State Emergency Response Commission
Legal Basis:	State Law
Commission Chairs:	Director of Emergency Management Division
SERC Members:	Director of Emergency Management Division; Director of the WV Department of Environmental Protection; Commissioner Department of Health and Human - Office of Environmental Health Services; Chief Air Quality of the Division of Environmental Protection; Superintendent of the Division of Public Safety; Commissioner of the Division of Highways; Designee of the Public Service Commission; Designee of the State Fire Marshal; Representative from the chemical industry; Representative of a municipal or volunteer fire department; Representative of the public who is knowledgeable in the area of emergency response
Roles and Responsibilities:	<i>SERC</i> Supervise LEPCs and their activities; Review emergency response plans
	<i>Division of Emergency Management or 911</i> Receive emergency release notifications (initial telephone notification)
	<i>Division of Emergency Management - SERC</i> Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information
Average Number of SERC Meetings Held Annually:	4-6
Communication with LEPCs:	Personalized and group email, phone calls, in-person meetings, annual conferences
Resources and Assistance provided for LEPC:	Funding; Technical assistance; Guidance documents; Training; Outreach to facilities
Tribal Representatives in SERC/LEPC:	No
Sources of Funding:	State-appropriated funds; Tier II filing fees; HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows the federal program
Number of EHS Planning Facilities in CY20:	9,900
Emergency Release Notification Requirements (EPCRA Section 304):	Follows the federal program
Release Notification System:	State Hotline; 911; SERC office
Follow-up Reports:	No

<i>AWIA Section 304 Requirements Established:</i>	Multiple representatives from the State Drinking Authority receive all spill notifications. The spill notifications are then shared with drinking water systems around the state.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows the federal program
<i>Number of Facilities Reported in CY 2020:</i>	6,781
<i>Reporting Software:</i>	TIER II MANAGER™ online reporting system
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fees:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass emails
<i>AWIA Section 312 Requirements Established:</i>	As requested by community water systems
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No

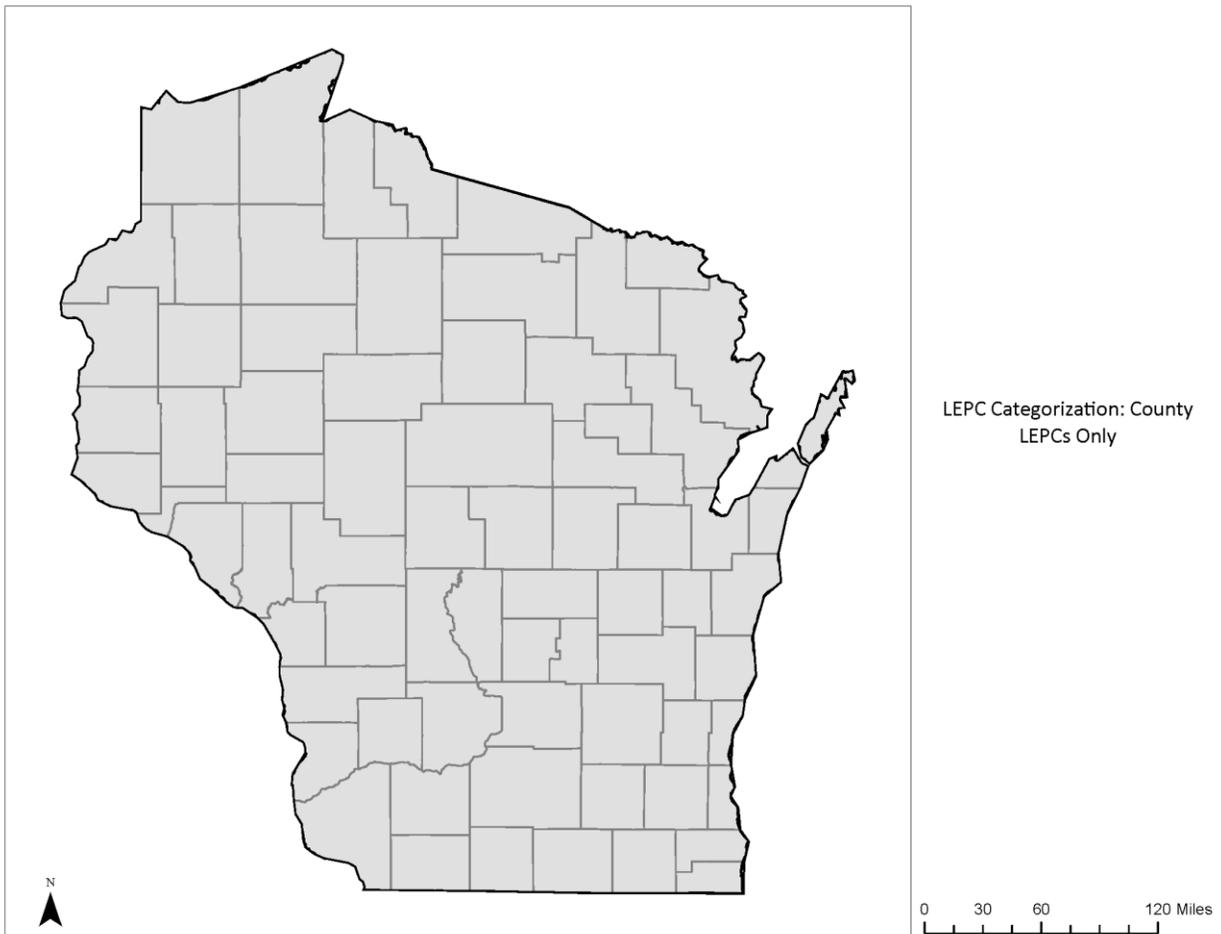




Wisconsin

Commission Name:	Wisconsin State Emergency Response Commission
Legal Basis:	State Law
Commission Chairs:	Wisconsin Emergency Management (WEM)
SERC Members:	WEM Administrator; EPCRA Advisory Workgroup (LEPCs, County Emergency Managers, State Agencies, WEM); Coordination with interagency workgroup (Wisconsin Department of Natural Resources (DNR), Wisconsin Department of Administration (DOA), Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP), Wisconsin Department of Transportation (WDOT), Wisconsin Civil Air Patrol (WING))
Roles and Responsibilities:	<i>WEM</i> Supervise LEPCs and their activities; Review emergency response plans; Receive hazardous chemical inventories (Tier II or state equivalent); Receive and process public requests for EPCRA information
	<i>WDNR</i> Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports)
Average Number of SERC Meetings Held Annually:	4
Communication with LEPCs:	Personalized and group email; phone calls; in-person meetings; conferences
Resources and Assistance provided for LEPC:	Funding; Technical assistance; Community risk communication; Guidance documents; Training; Response equipment; Outreach to facilities; Onsite facility inspections
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; Tier II filing fees; facility planning fees
Emergency Planning Notification Requirements (EPCRA Section 302):	Follows the federal program
Number of EHS Planning Facilities in CY20:	2,828
Emergency Release Notification Requirements (EPCRA Section 304):	Follows the federal program
Release Notification System:	State Hotline; 911
Follow-up Reports:	Yes
AWIA Section 304 Requirements Established:	WDNR Process
Hazardous Chemical Inventory Requirements (EPCRA Section 312):	Follows the federal program

<i>Number of Facilities Reported in CY 2020:</i>	6,681
<i>Reporting Software:</i>	State-developed tool
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fees:</i>	Yes
<i>Outreach to Facilities for Compliance:</i>	Mass emails
<i>AWIA Section 312 Requirements Established:</i>	Information is provided on request by WEM and LEPCS. Community water systems are eligible to get free access to the WHOPRS system.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No





Wyoming

Commission Name:	Wyoming State Emergency Response Commission
Legal Basis:	State Law
Commission Chair:	Wyoming Office of Homeland Security
SERC Members:	Manufacturing Industry; Department of Agriculture; Department of Environmental Quality; Medical Industry; Department of Transportation/Wyoming Highway Patrol; Department of Fire Prevention and Electrical Safety; Emergency Medical Services; General Public; Homeland Security; Eastern Shoshone Tribe; Northern Arapaho Tribe; State Legislature; Local Government; Local Law Enforcement; Fire Services; Media; Mining Industry; Trucking Industry; University of Wyoming; Department of Health; Railroad Industry/UPRR (currently vacant);, Railroad Industry/BNSF; Energy Industry
Roles and Responsibilities:	<p><i>SERC/Wyoming Office of Homeland Office Homeland Security</i> Supervise LEPCs and their activities; Receive emergency release notifications (initial telephone notification); Receive emergency release notifications (follow-up written reports); Receive hazardous chemical inventories (Tier II or State equivalent); Receive and process public requests for EPCRA information</p> <p><i>SERC/Boards of County Commissioners/Local Government Officials</i> Review emergency response plans</p>
Average Number of SERC Meetings Held Annually:	2
Communication with LEPCs:	Personalized and group email; phone calls; monthly conference calls
Resources and Assistance for LEPCs:	Technical assistance; Community risk communication; Guidance documents
Tribal Representatives in SERC/LEPC:	Yes
Sources of Funding:	State-appropriated funds; HMEP grant
Emergency Planning Notification Requirements (EPCRA Section 302):	Follow federal program
Number of EHS Planning Facilities in CY20:	149
Emergency Release Notification Requirements (EPCRA Section 304):	Follows federal program
Release Notification System:	SERC office
Follow-up Reports Tracking:	Custom application

<i>AWIA Section 304 Requirements Established:</i>	Handled by LEPCs and Wyoming Office of Homeland Security. Communicating with the LEPCs and water treatment facilities about the importance of sharing information and working together. Getting water treatment facilities actively involved with the SERC.
<i>Hazardous Chemical Inventory Requirements (EPCRA Section 312):</i>	Follows federal program
<i>Number of Facilities Reported in CY 2020:</i>	7,787
<i>Reporting Software:</i>	Tier2 Submit
<i>One-stop Filing:</i>	Yes
<i>Tier II Filing Fee:</i>	No
<i>AWIA Section 312 Requirements Established:</i>	It is the responsibility of the LEPCs to contact the water treatment facilities in their county.
<i>Public Access to EPCRA Information (EPCRA Section 324):</i>	Provide data electronically
<i>Fee for processing requests:</i>	No

